

RESOLUTION

Resolution to accept \$4,921,000 million in pledge donations from the University of Memphis, Auxiliary Services Foundation, from private donors and a \$50,000 donation from Grinder Tabor Grinder and Fleming Architects in support of the construction of the new Leftwich Tennis Center, CIP Project PK03005.

WHEREAS, in August 2019, Mayor Strickland proposed, and the City Council approved a \$3 million allocation of capital funds plus approximately \$1million of in-kind public works improvements to a public-private partnership to build a new tennis center at Audubon Park, to replace the current Leftwich Tennis Center, to be the home of Tennis Memphis' city-wide outreach, and to serve as the competition and practice home of the University of Memphis teams. (The center will maintain the name "Leftwich Tennis Center," which honors Lt. Col. William G. Leftwich); and

WHEREAS, the construction is being funded, in substantial part, by private donors; and

WHEREAS, the new Leftwich Tennis Center will enable a 300 percent increase in court availability for Memphis citizens, it will host the life changing work of Tennis Memphis, the nonprofit operator of City courts that positively affects hundreds of Memphis children each year with its programming; and

WHEREAS, the new Leftwich Tennis Center is another step of an ongoing partnership between the City Council and Mayor Strickland's administration to refurbish tennis courts citywide since 2016; and

WHEREAS, to-date private donors have pledged \$15,208,500 of which \$8,066,078 has been collected by the University of Memphis, and \$2,500,000 has already been transferred to the City for the project;

NOW, THEREFORE, BE IT RESOLVED, to continue construction and remain on schedule for the construction of the new Leftwich Tennis Center, the Memphis City Council hereby approves acceptance of \$4,921,000.00 in pledges from the University of Memphis, Auxiliary Services Foundation, and a \$50,000 donation from Grinder Tabor Grinder and Fleming Architects for the use and benefit of the Leftwich Tennis Center, CIP Project PK03005.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Memphis City Council authorizes and approves the City to accept the remaining balances of the pledges as they are collected by the

University of Memphis, Auxiliary Services Foundation, and are available to transfer to the City of Memphis for the use and benefit of the Leftwich Tennis Center, CIP Project PK03005.

Sponsor: Administration



Resolution to Approve Expenditures for Renovation of the Little Red Schoolhouse. [District 5, Super District 9].

WHEREAS, the FY23 Capital Improvement Budget included \$2,600,000 in funding for Council District Specific Projects for improvements to Parks, Libraries, and Neighborhoods; and

WHEREAS, the City of Memphis owns the Little Red Schoolhouse, which operated on Presidents Island as a one-room, segregated schoolhouse for African American students until the mid-1900s; and

WHEREAS, the Little Red Schoolhouse is currently stored on City of Memphis property and has fallen into disrepair; and

WHEREAS, the City of Memphis desires to relocate the Little Red Schoolhouse to the Museum of Science and History, restore the structure, and operate it as a historical outdoor exhibit for the continued education of museum visitors; and

WHEREAS, the Administration requests that Council approve the expenditure of up to \$200,000 for the restoration of the Little Red Schoolhouse;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that it hereby approves the expenditure of up to \$200,000 from Council District Specific Projects for the restoration of the Little Red Schoolhouse.

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council's Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

WHEREAS, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Memphis Dental Society Charitable Fund	\$50,000
TOTAL	\$50,000

Sponsor: Frank Colvett, Jr.

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council’s Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

WHEREAS, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Blues City Cultural Center	\$5,000
NAACP Memphis Branch	\$5,000
Feed the Needy	\$5,000
Memphis Health Center	\$5,000
Africa in April Cultural Awareness Festival, Inc.	\$5,000
TOTAL	\$25,000

Sponsor:
Patrice Robinson

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council’s Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

WHEREAS, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Feed the Needy	\$2,500
TOTAL	\$2,500

Sponsor:
Rhonda Logan

Chair:
Martavius Jones

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council’s Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

WHEREAS, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Feed the Needy	\$5,000
TOTAL	\$5,000

Sponsor:
Jeff Warren

Chair:
Martavius Jones

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council's Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

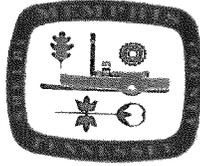
WHEREAS, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Feed the Needy	\$15,000.00
Zion Community Project	\$ 5,000.00
Africa in April	\$10,000.00
CCMI Breaking a Stronghold	\$ 5,000.00
LIA (Laymen In Action) House of Memphis, Inc.	\$ 5,000.00
TOTAL	\$40,000.00

Sponsor: Councilwoman Cheyenne Johnson



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A resolution to transfer and appropriate \$685,000 in CIP funding from the Traffic Safety Development Cover Line, EN23400 to Traffic Signals (FY23) (EN01112) to implement safety improvements at various locations across the City.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

This project is being initiated by the Division of Engineering.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

This project does not involve a change to an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

This project will impact all Council Districts.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

N/A

6. State whether this requires an expenditure of funds/requires a budget amendment

Appropriation of funds in FY23 Capital Budget will result in an expenditure and a budget amendment.

7. If applicable, please list the MWBE goal and any additional information needed

N/A

Council Resolution Caption (EN23400 – Traffic Safety Development)

A resolution to transfer and appropriate \$685,000 in CIP funding from the Traffic Safety Development Cover Line, EN23400 to Traffic Signals (FY23) (EN01112) to implement safety improvements at various locations across the City.

MEMORANDUM

From: Manny Belen, PE, Director of Engineering 

To: Jim Strickland, Mayor

Via: Doug McGowen, Chief Operating Officer

DATE: September 15, 2022

SUBJECT: Council Resolution to Transfer and Appropriate Construction Funds for EN23400

Parts of the Decision Brief/Memo

1. Problem Statement or Opportunity

This is a resolution to transfer and appropriate \$685,000 in CIP funding from the Traffic Safety Development Cover Line, EN23400 to Traffic Signals (FY23) (EN01112) to implement safety improvements at various locations across the City.

2. Recommendation

The Division of Engineering recommends forwarding to City Council for approval.

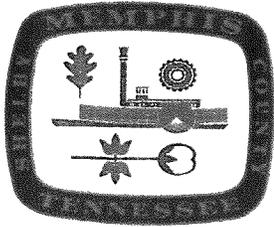
3. Prior Coordination

The funding was allocated by City Council as a part of the FY23 CIP budget. Funding is to be utilized at the direction of City Council and split evenly across all council districts.

4. Additional Information

N/A

R.7.



A resolution to transfer and appropriate \$685,000 in GO Bond funding for safety improvements at various locations.

WHEREAS, the Council of the City of Memphis previously allocated \$750,000 in GO Bond funding for the Traffic Safety Development Cover Line, Project Number EN23400; and

WHEREAS, This funding is to be used at the discretion of the various members of the City Council to implement traffic safety improvements where they deem necessary; and

WHEREAS, it is necessary to transfer \$100,000 in A&E funding from the Traffic Safety Development Cover Line, Project Number EN23400 to Construction to increase the total construction appropriation available; and

WHEREAS, it is necessary to transfer an allocation of \$685,000 funded by G.O. Bonds – from the Traffic Safety Development Cover Line, Project Number EN23400 to Traffic Signals (FY23), Project Number EN01112; and

WHEREAS, it is necessary to appropriate \$685,000 funded by G.O. Bonds in Traffic Signals (FY23), Project Number EN01112 as follows:

Contract Construction \$685,000

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$685,000 funded by G.O. Bonds from the Traffic Safety Development Cover Line, Project Number EN23400 to Traffic Signals (FY23), Project Number EN01112.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$685,000.00 funded by G.O. Bonds and chargeable to the Fiscal Year 2023 Capital Improvement Budget and credited as follows:

Project Title:	Traffic Signals (FY23)
Project Number:	EN01112
Total Amount:	\$685,000.00

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 9/27/2022
DATE
PUBLIC SESSION: 9/27/2022
DATE**

ITEM (CHECK ONE)
 ORDINANCE RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 4601 Hutton Way, known as case number PD 22-18

CASE NUMBER: PD 2022-018

DEVELOPMENT: CDKIM Campus Planned Development

LOCATION: 4601 Hutton Way

COUNCIL DISTRICTS: District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Hutton Henry LLC

REPRESENTATIVE: Cory Brady – Integrated Land Solutions, PLLC

REQUEST: Planned Development to regulate the development of a vehicle sales campus at the Existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).

AREA: +/-36.64 acres

RECOMMENDATION: The Division of Planning and Development recommended *Approval with conditions*
The Land Use Control Board recommended *Approval with conditions*

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**
Hearing – September 27, 2022

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
09/8/2022 _____	DATE
(1) Land Use Control Board _____	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED
SOURCE AND AMOUNT OF FUNDS	
\$ _____	OPERATING BUDGET
\$ _____	CIP PROJECT # _____
\$ _____	FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____	_____	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

PD 22-18

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED 4601 Hutton Way, KNOWN AS CASE NUMBER PD 22-18

- This item is a resolution with conditions to allow a Planned Development to regulate the development of a vehicle sales campus at the Existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).; and
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, September 8, 2022**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: PD 2022-018

DEVELOPMENT: CDKIM Campus Planned Development

LOCATION: 4601 Hutton Way

COUNCIL DISTRICT(S): District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Hutton Henry LLC

REPRESENTATIVE: Cory Brady – Integrated Land Solutions, PLLC

REQUEST: Planned Development to regulate the development of a vehicle sales campus at the Existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).

EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3)

AREA: +/-36.64 acres

The following spoke in support of the application: None

The following spoke in opposition the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions.

The motion passed by a unanimous vote of 10-0 on the consent agenda.

Respectfully,



Seth Thomas
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

**PD 22-18
CONDITIONS**

CDKIM Planned Development

Outline Plan Conditions

I. INTENT

The intent of this planned development is to regulate the sequential development of an automotive dealership campus having multiple dealerships and their accessory uses and/or structures distributed among the 36.64-acre property.

II. USES PERMITTED

- A. Vehicle Sales, Rental, or Leasing (Excluding Tractor Trailers, Heavy Trucks, Manufactured Housing); Vehicle Service; Vehicle Repair, Minor Utilities, CMCS Towers and facilities, Solar Farm, Permanent Off-Premise Advertising Sign (See VI.B.), Commercial Parking.
- B. Accessory Uses shall be permitted in accordance with Chapter 2.9 of the Unified Development Code.
- C. Principal and/or Accessory uses shall be permitted upon any lot or portion of any lot established by the Hutton Subdivision (PB 244 PG 30)

II. BULK REGULATIONS

- A. The Building Envelope Standards for Nonresidential CMU-3 District Section 3.10.B of the Unified Development Code shall apply. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions apply.
- B. Building Setbacks:
 - 1. Front:
 - a. Interstate 55: 25-feet
 - b. Shelby Drive East: 25-feet
 - c. Metro Plex Lane: 30-feet
 - 2. Perimeter Side/Rear:

- a. Lot 1 and Lot 2: 25-feet
- b. Lot 7 and Lot 8: 25-feet
- c. Lots 9-12: 15-feet
- 3. Interior Side: 5-feet

III. ACCESS, PARKING AND CIRCULATION

- A. Riverbrook Drive (private, existing), Pinebrook Drive (private, existing), and Metro Plex Lane (private, existing) shall be owned and maintained by the property owner or a property owner's association.
- B. Access to Southbrook Office Park (PB 60 PG 4) shall be conveyed via Ingress/Egress Easement per instrument # 08024069.
- C. All Internal drives shall be private, owned and maintained by the property owner or a property owners association.
- D. Access to Shelby Drive or Interstate 55 is prohibited.
- E. The design and location of curb cuts to be approved by the City Engineer.
- F. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader, etc.
- G. Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or tract.
- H. Off Street Parking:
 - 1. Shared parking shall be allowed for all permitted uses.
 - 2. Off street parking spaces shall conform Chapter 4.5 of the Unified Development Code.
- I. The existing billboard on lots 6 and 3 are permitted to have accessory uses as shown on the concept plan.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Sub-Section 4.5.5(D) and Chapter 4.6 of the Unified Development Code shall apply as modified.
- B. LS Plate A-1 Modified, A-2, or A-3 (or equivalent) shall be required along the frontages of Shelby Drive, Interstate 55 and Metro Plex Lane.
- C. LS Plate A-1 Modified or equivalent shall be required along the north boundary of the property.
- D. Dumpsters and similar kinds of trash containers shall be full enclosed by opaque walls, at least eight 8-feet in height with self-closing access doors and shall be constructed of materials and methods similar to that of the building.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.

VI. SIGNS

- A. Signs shall be permitted in accordance Chapter 4.9 of the Unified Development Code as modified.
- B. No more than two (2) Permanent Off-Premise Signs shall be permitted. Permanent Off-Premise signs shall be regulated in accordance with Section 4.9.8 of the Unified Development Code and as follows.
- C. Two (2) Integrated Center Signs shall be permitted. One at the intersection of Pinebrook Drive North and one Pinebrook Drive South.
- D. All signage shall be shown on the final plat and be subject to administrative review and approval by the Division of Planning and Development. Note identifying dimensional signage areas rather than specific branding is acceptable.

VII. DRAINAGE

- A. All drainage plans shall be submitted to the City Engineer for review and approval.

- B. The developer is required under 40CFR 122.26(b)(14) and TCA 69-3-101 et. Seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

VIII. MISCELLANEOUS

- A. The Land Use Control Board may modify the building and parking placement, building elements streetscapes and landscaping, site development standards, signs, outdoor site lighting and public improvements if equivalent alternatives are presented. Any adjacent property owner who is dissatisfied with the modifications approve by the Land Use Control Board may within ten (10) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.

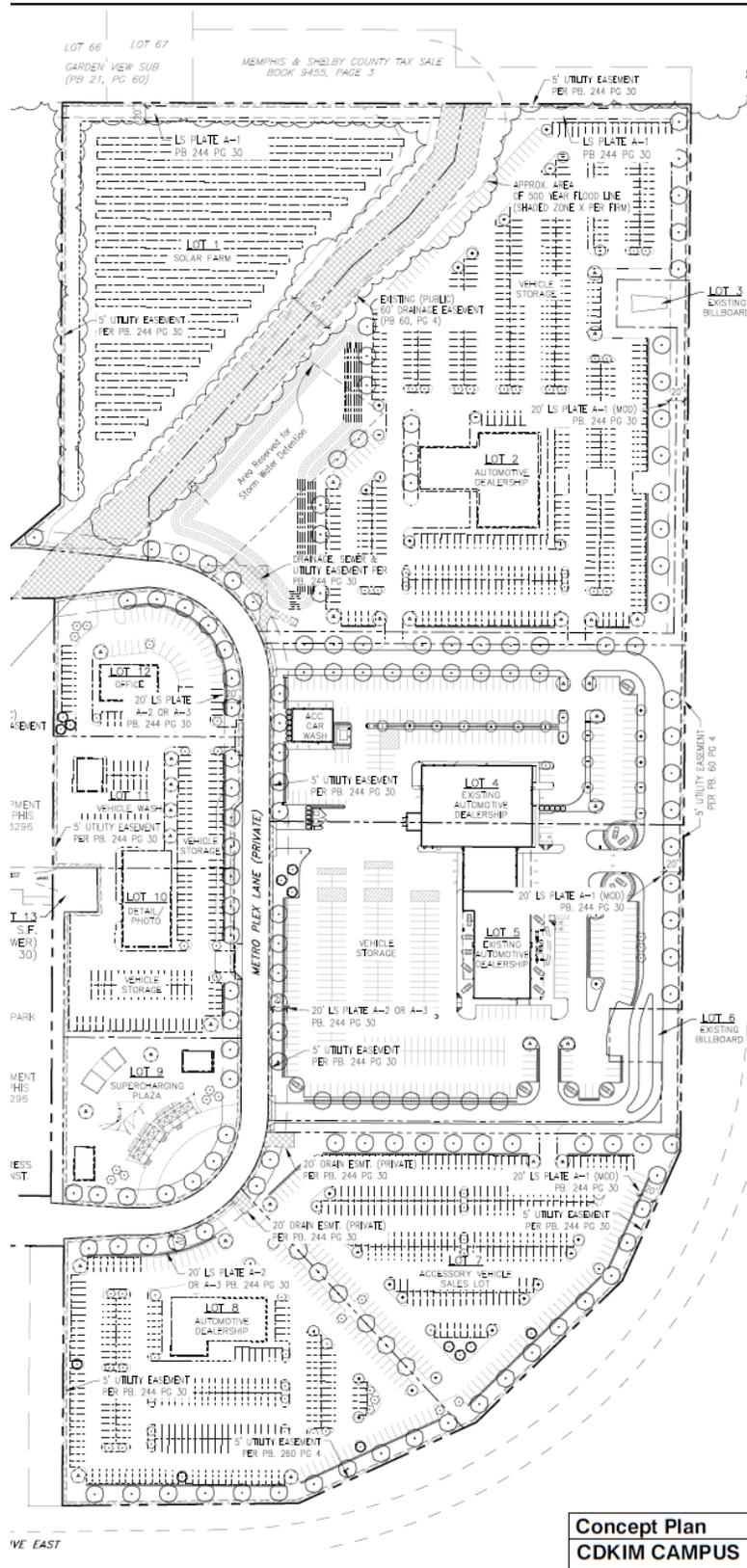
- B. All common areas shall be owned and maintained by the property owners association recorded in the Shelby County Register Office.

VIII. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.

- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2) of the Unified Development Code. An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16 of the Unified Development Code.

CONCEPT PLAN



Concept Plan
CDKIM CAMPUS

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 4601 HUTTON WAY, KNOWN AS CASE NUMBER PD 22-18

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a planned development for certain stated purposes in the various zoning districts; and

WHEREAS, the Hutton Henry LLC filed an application with the Memphis and Shelby County Division of Planning and Development a Planned Development to regulate the development of a vehicle sales campus at the Existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30); and

WHEREAS, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives and standards for planned developments as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Memphis and Shelby County Land Use Control Board; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on September 8, 2022, and said Board has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and said development is consistent with the public interests.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a planned development is hereby granted in accordance with the attached outline plan conditions.

BE IT FURTHER RESOLVED, that the requirements of said aforementioned clause of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.

ATTEST:

CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement

CDKIM Planned Development

Outline Plan Conditions

I. INTENT

The intent of this planned development is to regulate the sequential development of an automotive dealership campus having multiple dealerships and their accessory uses and/or structures distributed among the 36.64-acre property.

II. USES PERMITTED

- A. Vehicle Sales, Rental, or Leasing (Excluding Tractor Trailers, Heavy Trucks, Manufactured Housing); Vehicle Service; Vehicle Repair, Minor Utilities, CMCS Towers and facilities, Solar Farm, Permanent Off-Premise Advertising Sign (See VI.B.), Commercial Parking.
- B. Accessory Uses shall be permitted in accordance with Chapter 2.9 of the Unified Development Code.
- C. Principal and/or Accessory uses shall be permitted upon any lot or portion of any lot established by the Hutton Subdivision (PB 244 PG 30)

II. BULK REGULATIONS

A. The Building Envelope Standards for Nonresidential CMU-3 District Section 3.10.B of the Unified Development Code shall apply. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions apply.

B. Building Setbacks:

1. Front:

- a. Interstate 55: 25-feet
- b. Shelby Drive East: 25-feet
- c. Metro Plex Lane: 30-feet

2. Perimeter Side/Rear:

- a. Lot 1 and Lot 2: 25-feet
- b. Lot 7 and Lot 8: 25-feet
- c. Lots 9-12: 15-feet

3. Interior Side: 5-feet

III. ACCESS, PARKING AND CIRCULATION

- A. Riverbrook Drive (private, existing), Pinebrook Drive (private, existing), and Metro Plex Lane (private, existing) shall be owned and maintained by the property owner or a property owner's association.
- B. Access to Southbrook Office Park (PB 60 PG 4) shall be conveyed via Ingress/Egress Easement per instrument # 08024069.
- C. All Internal drives shall be private, owned and maintained by the property owner or a property owners association.
- D. Access to Shelby Drive or Interstate 55 is prohibited.
- E. The design and location of curb cuts to be approved by the City Engineer.
- F. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader, etc.
- G. Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or tract.
- H. Off Street Parking:
 - 1. Shared parking shall be allowed for all permitted uses.
 - 2. Off street parking spaces shall conform Chapter 4.5 of the Unified Development Code.
- I. The existing billboard on lots 6 and 3 are permitted to have accessory uses as shown on the concept plan.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Sub-Section 4.5.5(D) and Chapter 4.6 of the Unified Development Code shall apply as modified.

- B. LS Plate A-1 Modified, A-2, or A-3 (or equivalent) shall be required along the frontages of Shelby Drive, Interstate 55 and Metro Plex Lane.
- C. LS Plate A-1 Modified or equivalent shall be required along the north boundary of the property.
- D. Dumpsters and similar kinds of trash containers shall be full enclosed by opaque walls, at least eight 8-feet in height with self-closing access doors and shall be constructed of materials and methods similar to that of the building.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.

VI. SIGNS

- A. Signs shall be permitted in accordance Chapter 4.9 of the Unified Development Code as modified.
- B. No more than two (2) Permanent Off-Premise Signs shall be permitted. Permanent Off-Premise signs shall be regulated in accordance with Section 4.9.8 of the Unified Development Code and as follows.
- C. Two (2) Integrated Center Signs shall be permitted. One at the intersection of Pinebrook Drive North and one Pinebrook Drive South.
- D. All signage shall be shown on the final plat and be subject to administrative review and approval by the Division of Planning and Development. Note identifying dimensional signage areas rather than specific branding is acceptable.

VII. DRAINAGE

- A. All drainage plans shall be submitted to the City Engineer for review and approval.
- B. The developer is required under 40CFR 122.26(b)(14) and TCA 69-3-101 et. Seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

VIII. MISCELLANEOUS

- A. The Land Use Control Board may modify the building and parking placement, building elements streetscapes and landscaping, site development standards, signs, outdoor site lighting and public improvements if equivalent alternatives are presented. Any adjacent property owner who is dissatisfied with the modifications approved by the Land Use Control Board may within ten (10) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.

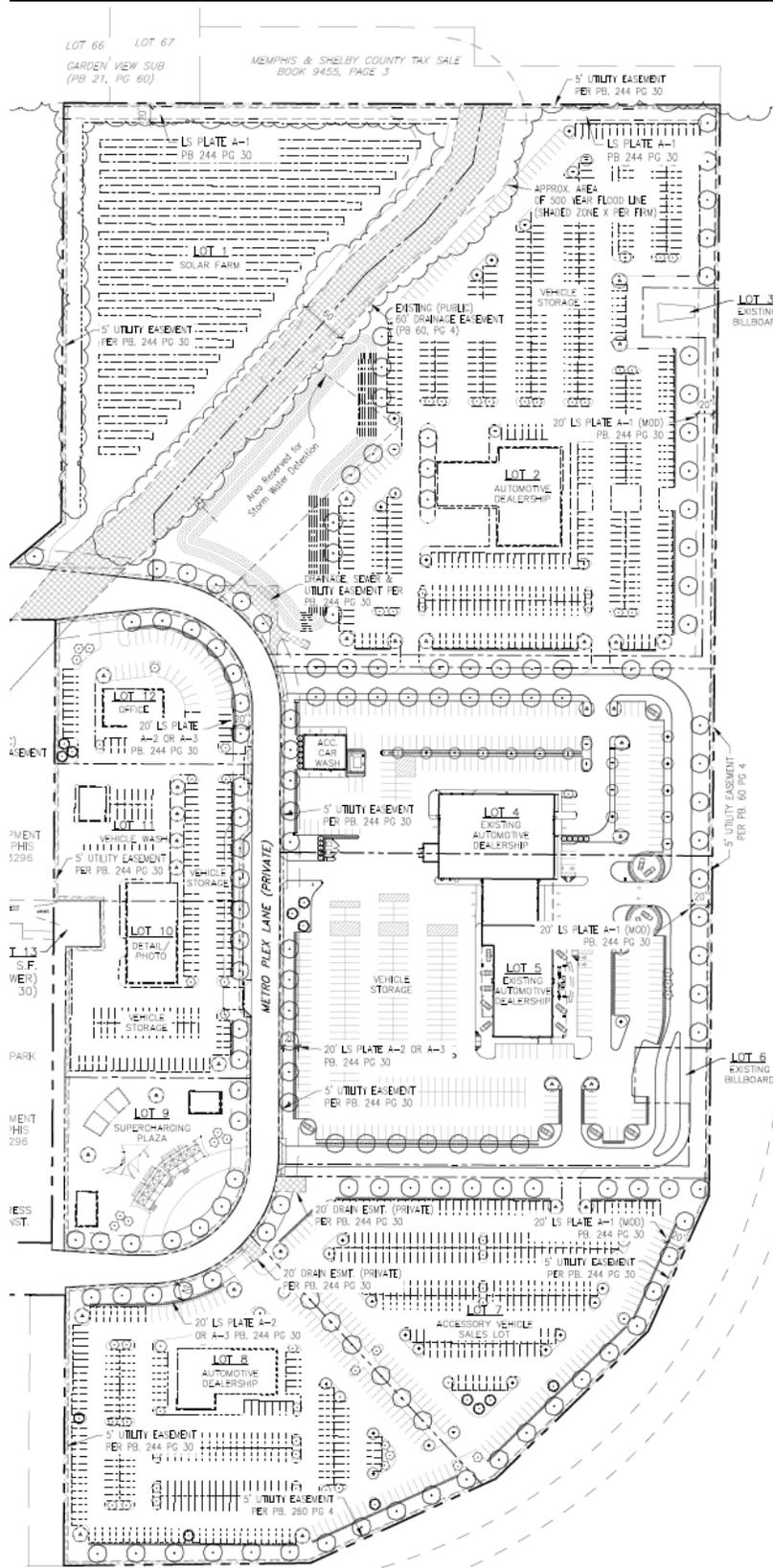
- B. All common areas shall be owned and maintained by the property owners association recorded in the Shelby County Register Office.

VIII. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.

- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2) of the Unified Development Code. An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16 of the Unified Development Code.

CONCEPT PLAN



Concept Plan
CDKIM CAMPUS

AGENDA ITEM: 13

CASE NUMBER: PD 2022-018 **L.U.C.B. MEETING:** September 8, 2022

DEVELOPMENT: CDKIM Campus Planned Development

LOCATION: 4601 Hutton Way

COUNCIL DISTRICT: District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Hutton Henry LLC

REPRESENTATIVE: Cory Brady – Integrated Land Solutions, PLLC

REQUEST: Planned Development to regulate the development of a vehicle sales campus at the Existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).

AREA: +/-36.64 acres

EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3)

CONCLUSIONS

1. The applicant is requesting a Planned Development to regulate the development of a vehicle sales campus at the Existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).
2. Chuck Hutton Toyota has been in continuous operation on the site since 2009. However, due to a change in the zoning code in 2010, CMU-3 (formerly C-H) zoning district no longer allowed automotive sales as a by right use, making the operation of the site for vehicle sales legal non-conforming.
3. The applicant is seeking planned development approval to legitimize the existing vehicle sales use, as well as allowing future expansion of the automotive dealership campus.
4. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.
5. The location and arrangement of the structures, parking areas, walks, lighting, and other service facilities are compatible with the surrounding land uses.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 26 and 27 of this report.

RECOMMENDATION
Approval with conditions

GENERAL INFORMATION

Street Frontage: Shelby Drive +/-585.6 curvilinear feet
Interstate 55 +/-1,890.23 linear feet
Metro Plex Lane +/-1,380.5 linear feet

Zoning Atlas Page: 2430

Parcel ID: 079041 A00040C, 079041 A00038C, 079041 A00043C, and 079041 A00035C

Existing Zoning: Commercial Mixed Use – 3 (CMU-3)

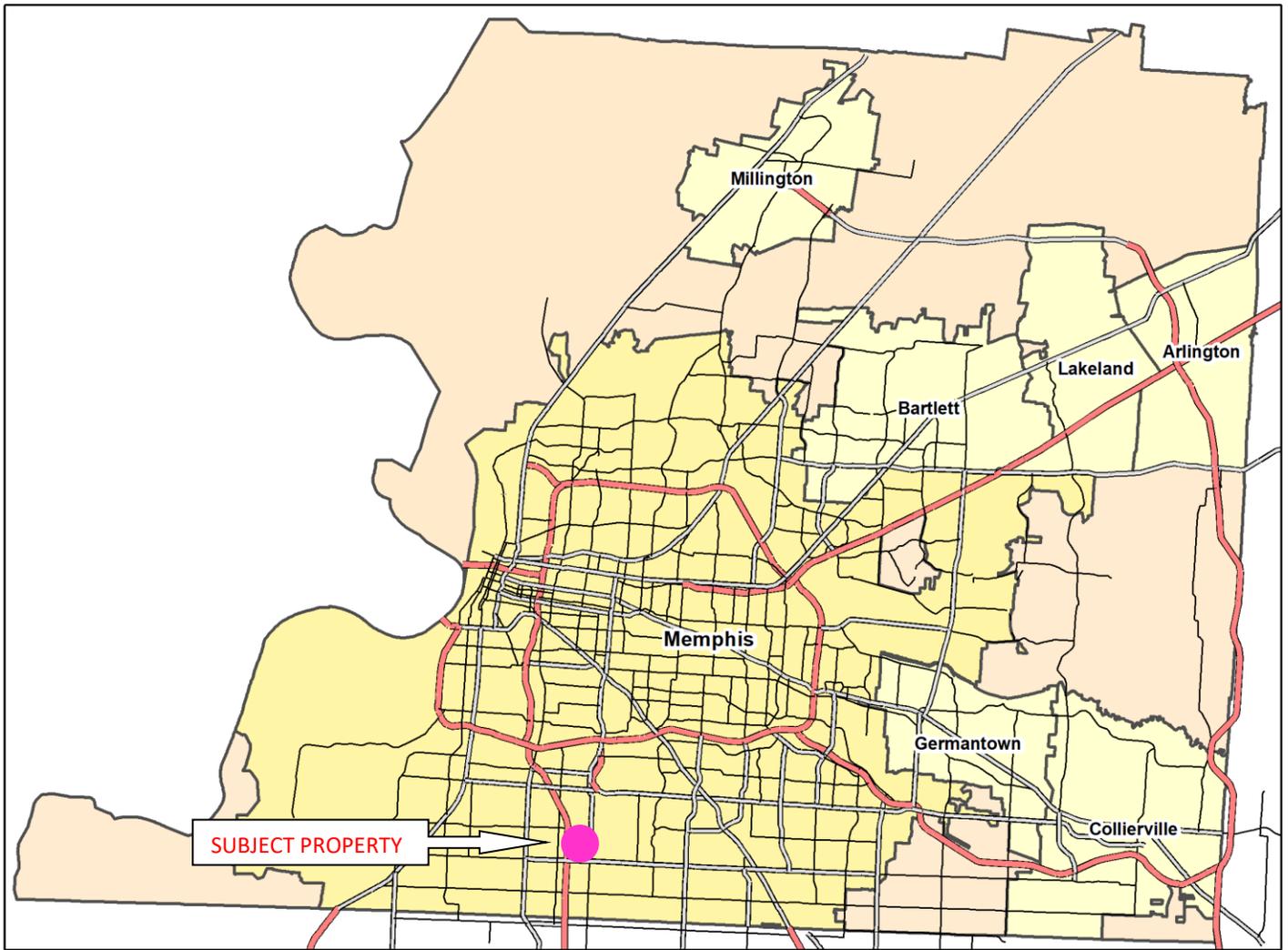
NEIGHBORHOOD MEETING

The meeting was held at 6:00 PM on Tuesday, August 24, 2022, at Chuck Hutton Toyota, 4601 Hutton Way Memphis, TN 38116.

PUBLIC NOTICE

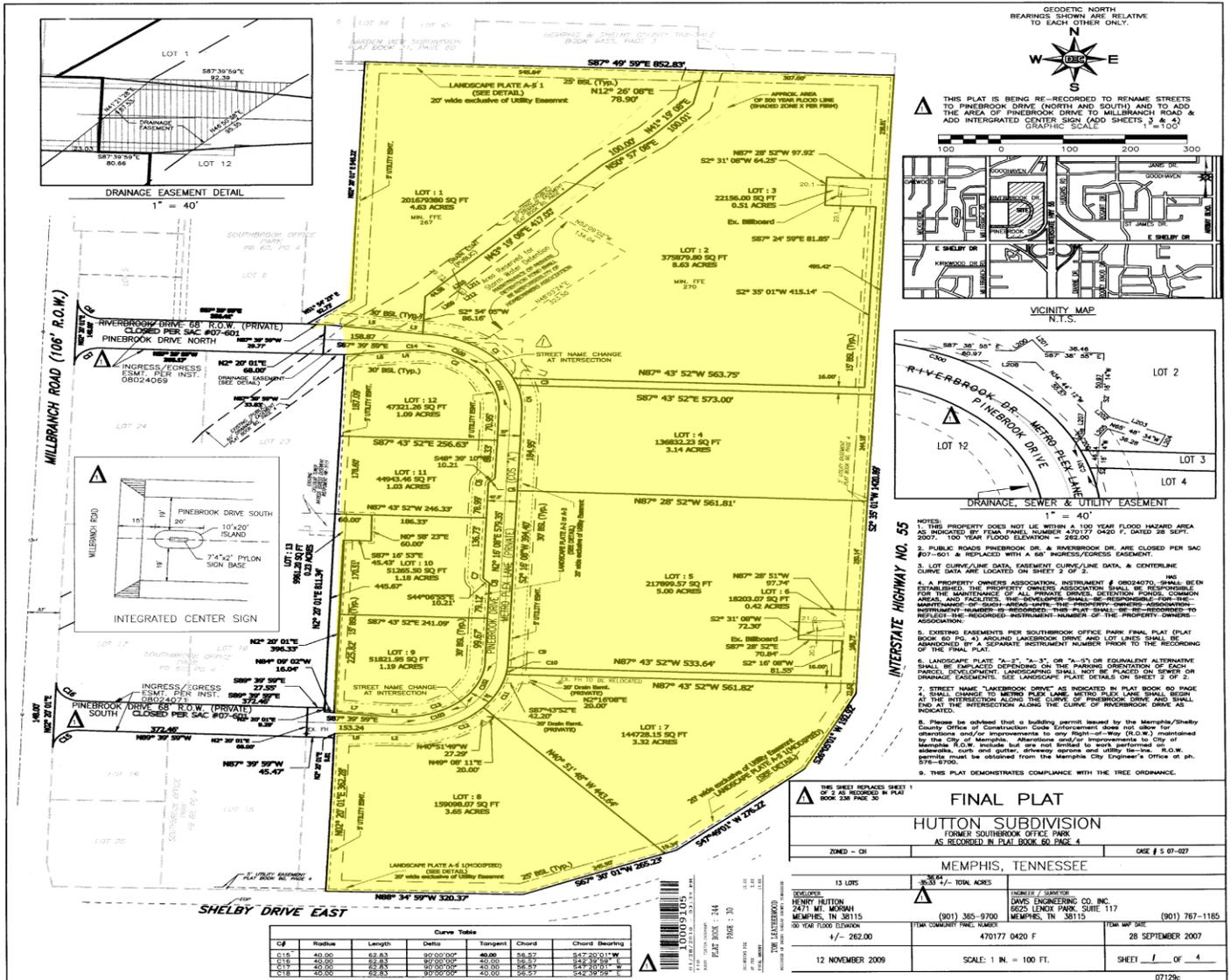
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 98 notices were mailed on August 25, 2022, and a total of 4 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



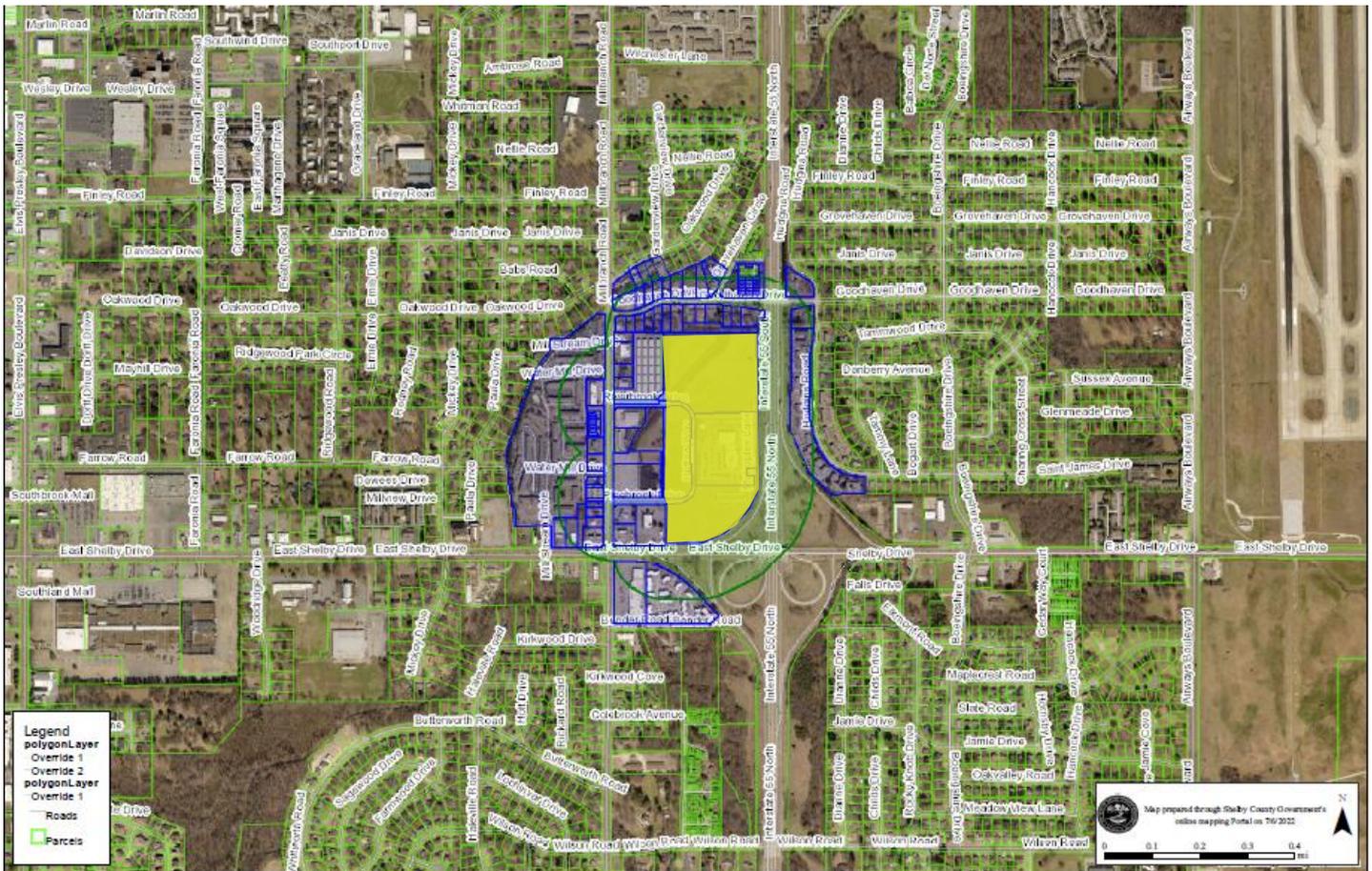
Subject property located within the pink circle

HUTTON SUBDIVISION (2010)



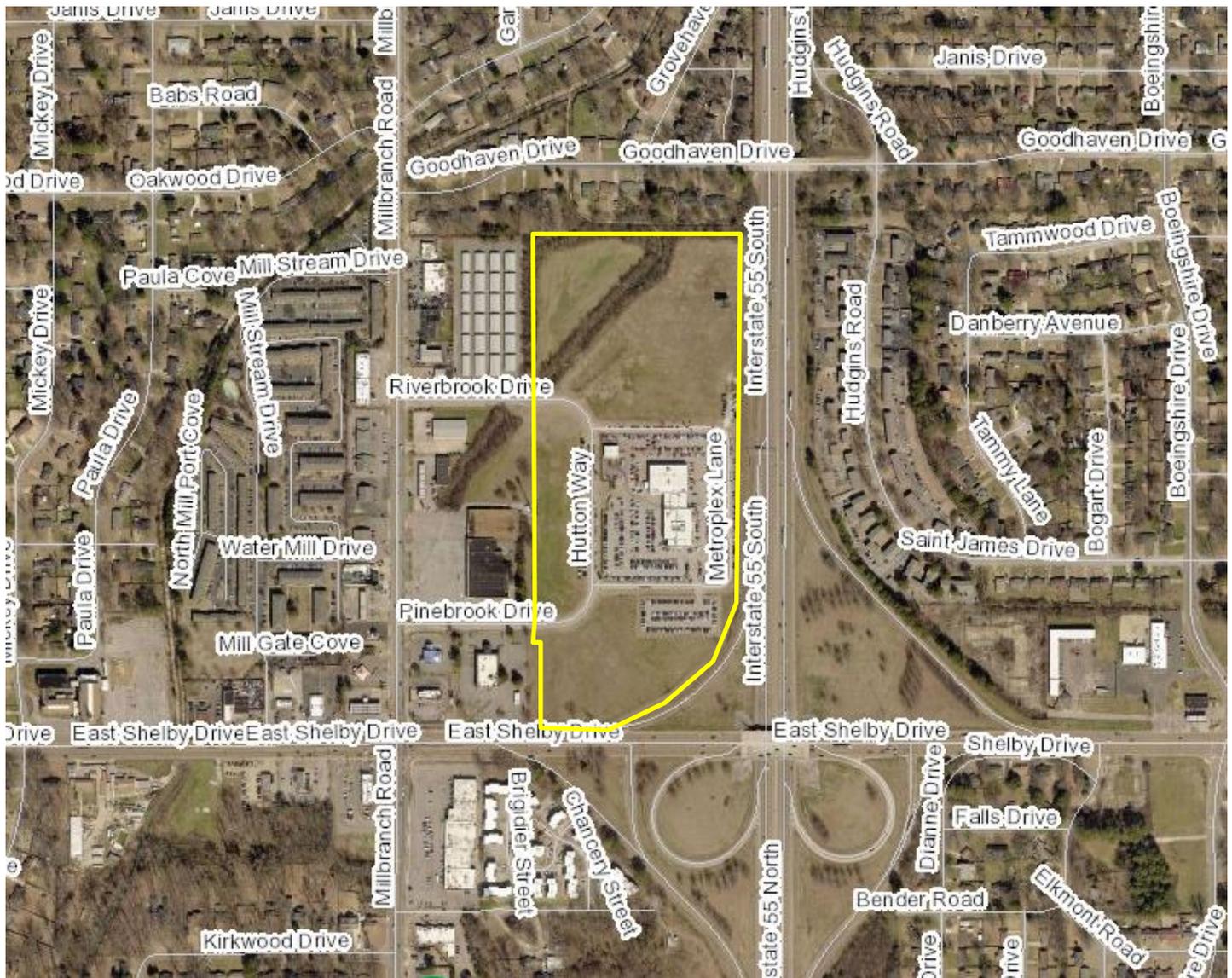
Subject property highlighted in yellow

VICINITY MAP



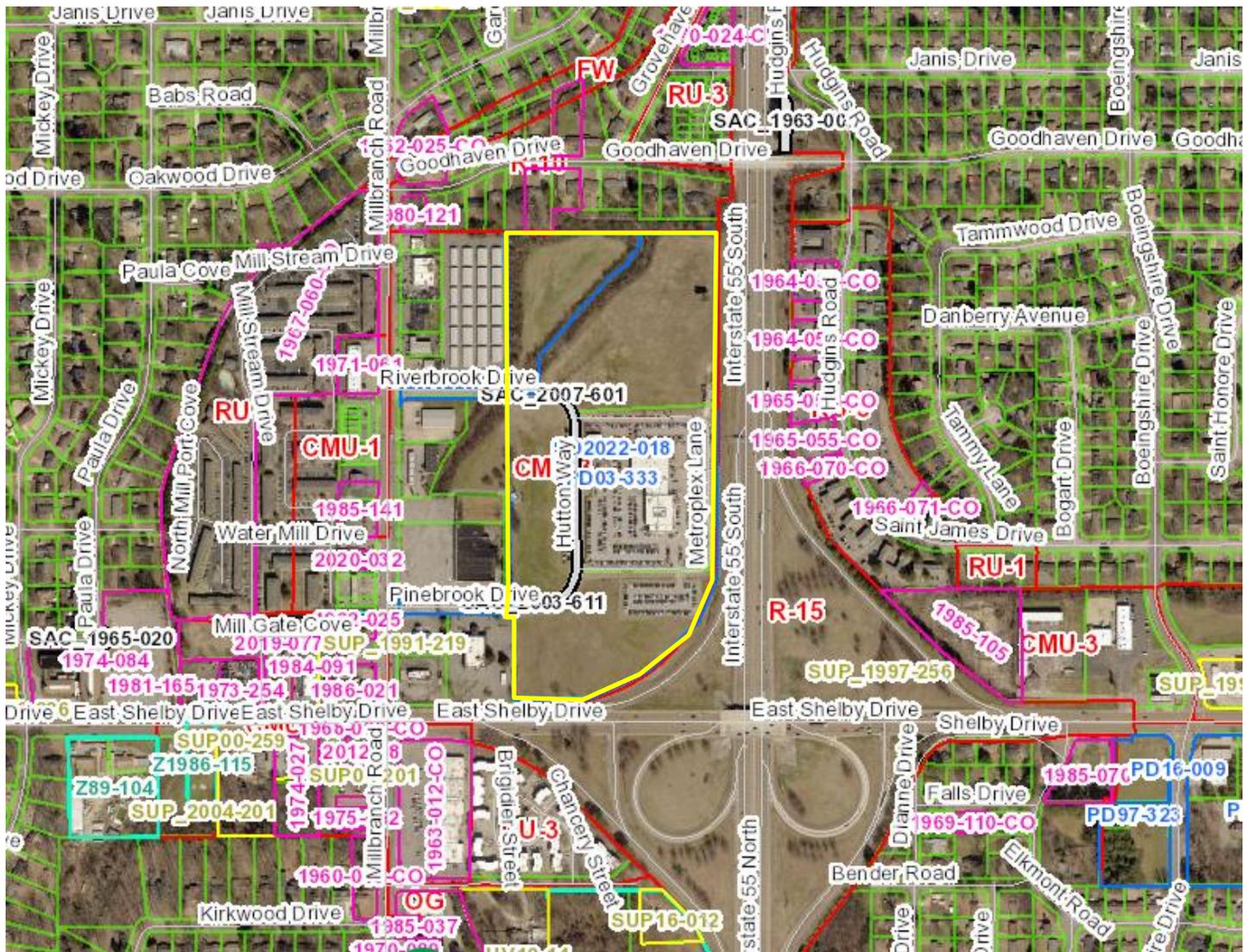
Subject property highlighted in yellow

AERIAL



Subject property outlined in yellow

ZONING MAP



Subject property highlighted in yellow

Existing Zoning: Commercial Mixed Use – 3 (CMU-3)

Surrounding Zoning

North: CMU-3, RU-3, and R-10

East: R-15, RU-1, and CMU-3

South: RU-3 and R-15

West: CMU-3 and CMU-1

LAND USE MAP



LandUse

 SINGLE-FAMILY	 OFFICE
 MULTI-FAMILY	 INDUSTRIAL
 INSTITUTIONAL	 PARKING
 COMMERCIAL	 VACANT
 RECREATIONAL / OPEN SPACE	

Subject property indicated by a pink star

SITE PHOTOS



View of the subject property's the northern private drive entrance facing east



View of subject property's the southern private drive entrance facing east



View of subject property's western area from the private circular drive facing west.



View of the existing car dealership and car storage area facing northeast.

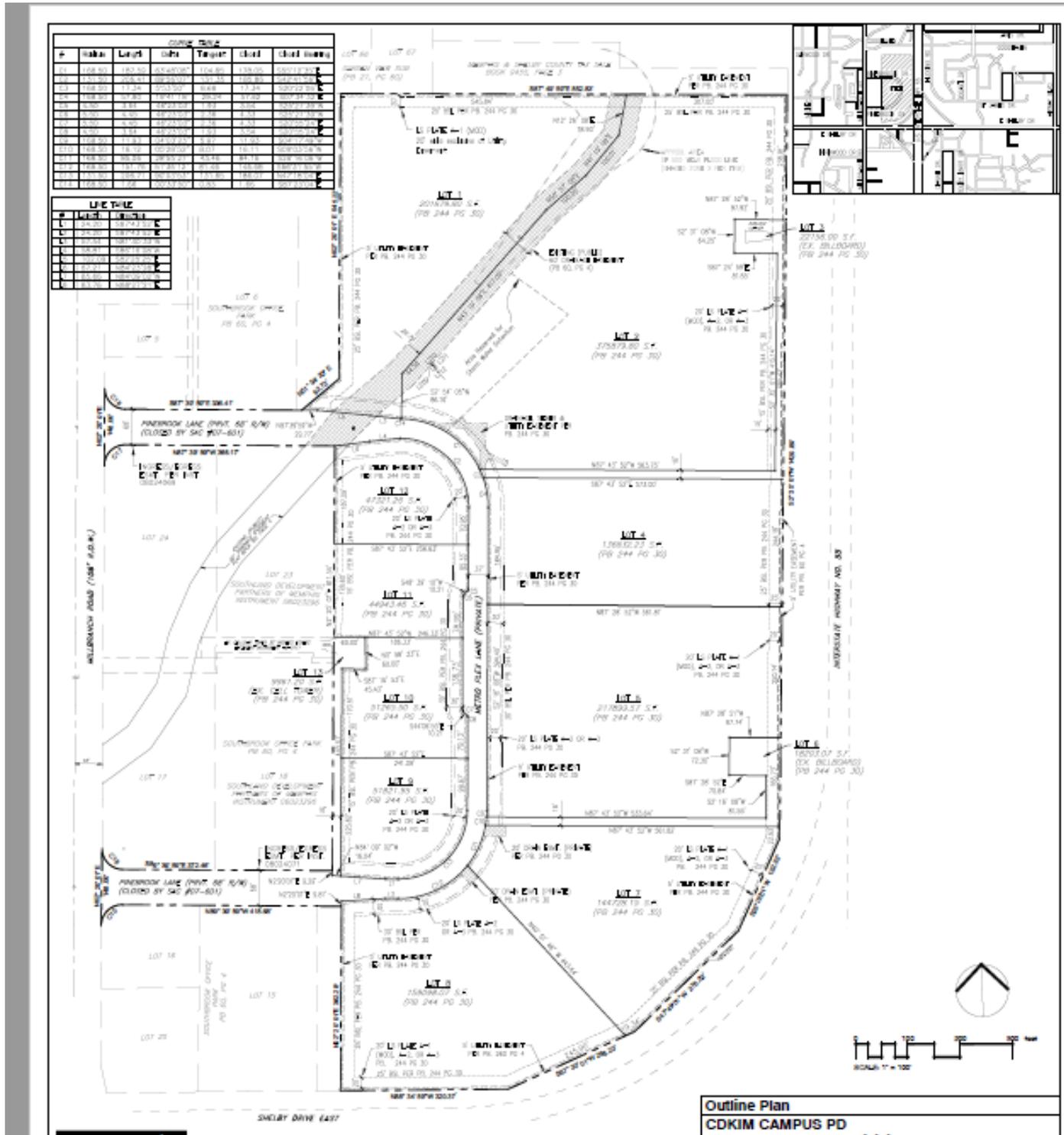


View of the subject property from the I-55 exit ramp facing northwest

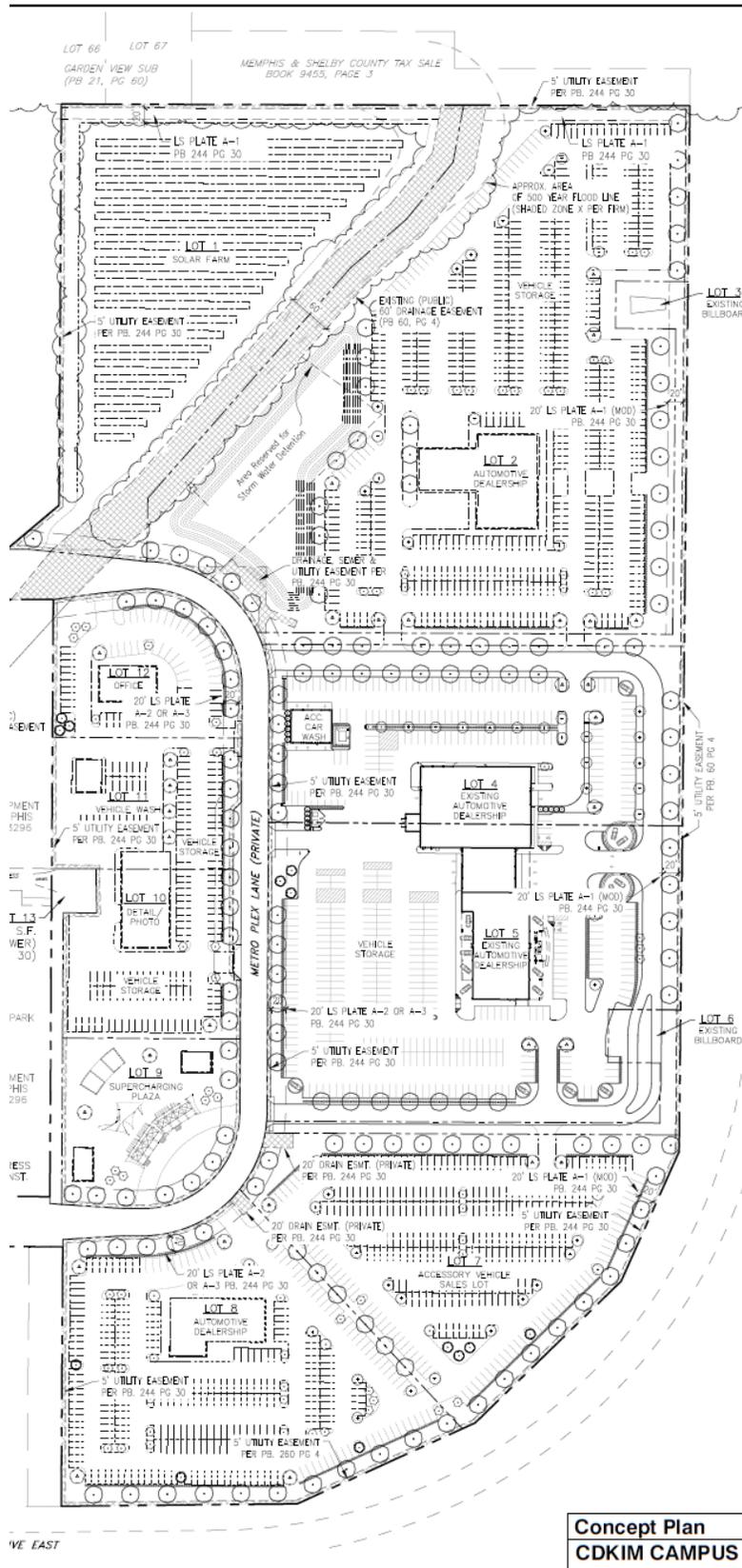


View of the subject property's northern undeveloped area from I-55 facing west

OUTLINE PLAN



CONCEPT PLAN



STAFF ANALYSIS

Request

The application, planned development general provisions, and letter of intent have been added to this report.

The request is a Planned Development to regulate the development of a vehicle sales campus at the Existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).

Applicability

Staff agrees the applicability standards and criteria as set out in Section 4.10.2 of the Unified Development Code are or will be met.

4.10.2 Applicability

The governing bodies may, upon proper application, grant a special use permit for a planned development (see Chapter 9.6) for a tract of any size within the City or for tracts of at least three acres in unincorporated Shelby County to facilitate the use of flexible techniques of land development and site design, by providing relief from district requirements designed for conventional developments, and may establish standards and procedures for planned developments in order to obtain one or more of the following objectives:

- A. Environmental design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property.*
- B. Diversification in the uses permitted and variation in the relationship of uses, structures, open space and height of structures in developments intended as cohesive, unified projects.*
- C. Functional and beneficial uses of open space areas.*
- D. Preservation of natural features of a development site.*
- E. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.*
- F. Rational and economic development in relation to public services.*
- G. Efficient and effective traffic circulation, both within and adjacent to the development site, that supports or enhances the approved transportation network.*
- H. Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.*
- I. Revitalization of established commercial centers of integrated design to order to encourage the rehabilitation of such centers in order to meet current market preferences.*
- J. Provision in attractive and appropriate locations for business and manufacturing uses in well-designed buildings and provision of opportunities for employment closer to residence with a reduction in travel time from home to work.*
- K. Consistency with the Memphis 3.0 General Plan.*

General Provisions

Staff agrees the general provisions standards and criteria as set out in Section 4.10.3 of the Unified Development Code are or will be met.

4.10.3 General Provisions

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations

of the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in this Chapter.

- A. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.*
- B. An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.*
- C. The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.*
- D. Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.*
- E. Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.*
- F. Lots of record are created with the recording of a planned development final plan.*

Commercial or Industrial Criteria

Staff agrees the additional planned commercial or industrial development criteria as set out in Section 4.10.5 of the Unified Development Code are or will be met.

4.10.5 Planned Commercial or Industrial Developments

Approval of a planned commercial or industrial development may be issued by the governing bodies for buildings or premises to be used for the retail sale of merchandise and services, parking areas, office buildings, hotels and motels and similar facilities ordinarily accepted as commercial center uses and those industrial uses which can be reasonably be expected to function in a compatible manner with the other permitted uses in the area. In addition to the applicable standards and criteria set forth in Section 4.10.3, planned commercial or industrial developments shall comply with the following standards:

- A. Screening*

When commercial or industrial structures or uses in a planned commercial or industrial development about a residential district or permitted residential buildings in the same development, screening may be required by the governing bodies.
- B. Display of Merchandise*

All business, manufacturing and processing shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way, provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.
- C. Accessibility*

The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development.
- D. Landscaping*

Landscaping shall be required to provide screening of objectionable views of uses and the reduction of noise. High-rise buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining low-rise buildings.

Approval Criteria

Staff agrees the approval criteria as set out in Section 9.6.9 of the Unified Development Code are being met.

9.6.9 Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

- A. The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.*
- B. The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.*
- C. The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.*
- D. The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.*
- E. The project complies with all additional standards imposed on it by any particular provisions authorizing such use.*
- F. The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.*
- G. The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to insure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.*
- H. Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.*

Site Description

The subject property is +/-36.64 acres located along a private drive (Hutton Way) west of Interstate 55 and northeast of the intersection of Shelby Drive and Millbranch Road. The site is currently comprised of four parcels (079041 A00035C, 079041 A00043C, 079041 A00038C, 079041 A00040C) with the referenced underlying zoning of CMU-3. The site is a mixture of developed land for use as a car dealership and vacant land.

Conclusions

The applicant is requesting a Planned Development to regulate the development of a vehicle sales campus at the Existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).

Chuck Hutton Toyota has been in continuous operation on the site since 2009. However, due to a change in the zoning code in 2010, CMU-3 (formerly C-H) zoning district no longer allowed automotive sales as a by right use,

making the operation of the site for vehicle sales legal non-conforming.

The applicant is seeking planned development approval to legitimize the existing vehicle sales use, as well as allowing future expansion of the automotive dealership campus.

The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

The location and arrangement of the structures, parking areas, walks, lighting and other service facilities are compatible with the surrounding land uses.

RECOMMENDATION

Staff recommends approval with outline plan conditions.

CDKIM Planned Development

Outline Plan Conditions

I. INTENT

The intent of this planned development is to regulate the sequential development of an automotive dealership campus having multiple dealerships and their accessory uses and/or structures distributed among the 36.64-acre property.

II. USES PERMITTED

A. Vehicle Sales, Rental, or Leasing (Excluding Tractor Trailers, Heavy Trucks, Manufactured Housing); Vehicle Service; Vehicle Repair, Minor Utilities, CMCS Towers and facilities, Solar Farm, Permanent Off-Premise Advertising Sign (See VI.B.), Commercial Parking.

B. Accessory Uses shall be permitted in accordance with Chapter 2.9 of the Unified Development Code.

C. Principal and/or Accessory uses shall be permitted upon any lot or portion of any lot established by the Hutton Subdivision (PB 244 PG 30)

II. BULK REGULATIONS

A. The Building Envelope Standards for Nonresidential CMU-3 District Section 3.10.B of the Unified Development Code shall apply. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions apply.

B. Building Setbacks:

1. Front:

- a. Interstate 55: 25-feet
- b. Shelby Drive East: 25-feet
- c. Metro Plex Lane: 30-feet

2. Perimeter Side/Rear:

- a. Lot 1 and Lot 2: 25-feet
- b. Lot 7 and Lot 8: 25-feet
- c. Lots 9-12: 15-feet

3. Interior Side: 5-feet

III. ACCESS, PARKING AND CIRCULATION

- A. Riverbrook Drive (private, existing), Pinebrook Drive (private, existing), and Metro Plex Lane (private, existing) shall be owned and maintained by the property owner or a property owner's association.
- B. Access to Southbrook Office Park (PB 60 PG 4) shall be conveyed via Ingress/Egress Easement per instrument # 08024069.
- C. All Internal drives shall be private, owned and maintained by the property owner or a property owners association.
- D. Access to Shelby Drive or Interstate 55 is prohibited.
- E. The design and location of curb cuts to be approved by the City Engineer.
- F. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader, etc.
- G. Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or tract.

H. Off Street Parking:

1. Shared parking shall be allowed for all permitted uses.
 2. Off street parking spaces shall conform Chapter 4.5 of the Unified Development Code.
- I. The existing billboard on lots 6 and 3 are permitted to have accessory uses as shown on the concept plan.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Sub-Section 4.5.5(D) and Chapter 4.6 of the Unified Development Code shall apply as modified.
- B. LS Plate A-1 Modified, A-2, or A-3 (or equivalent) shall be required along the frontages of Shelby Drive, Interstate 55 and Metro Plex Lane.
- C. LS Plate A-1 Modified or equivalent shall be required along the north boundary of the property.
- D. Dumpsters and similar kinds of trash containers shall be full enclosed by opaque walls, at least eight 8-feet in height with self-closing access doors and shall be constructed of materials and methods similar to that of the building.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.

VI. SIGNS

- A. Signs shall be permitted in accordance Chapter 4.9 of the Unified Development Code as modified.
- B. No more than two (2) Permanent Off-Premise Signs shall be permitted. Permanent Off-Premise signs shall be regulated in accordance with Section 4.9.8 of the Unified Development Code and as follows.
- C. Two (2) Integrated Center Signs shall be permitted. One at the intersection of Pinebrook Drive North and one Pinebrook Drive South.

- D. All signage shall be shown on the final plat and be subject to administrative review and approval by the Division of Planning and Development. Note identifying dimensional signage areas rather than specific branding is acceptable.

VII. DRAINAGE

- A. All drainage plans shall be submitted to the City Engineer for review and approval.
- B. The developer is required under 40CFR 122.26(b)(14) and TCA 69-3-101 et. Seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

VIII. MISCELLANEOUS

- A. The Land Use Control Board may modify the building and parking placement, building elements streetscapes and landscaping, site development standards, signs, outdoor site lighting and public improvements if equivalent alternatives are presented. Any adjacent property owner who is dissatisfied with the modifications approve by the Land Use Control Board may within ten (10) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.
- B. All common areas shall be owned and maintained by the property owners association recorded in the Shelby County Register Office.

VIII. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2) of the Unified Development Code. An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16 of the Unified Development Code.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City/County Engineer:

1. Standard Subdivision Contract or Right-Of-Way Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. The availability of City sanitary sewer is unknown at this time. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept, a determination can be made as to available sewer capacity.
3. If sewer services are approved for this development, all sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

Roads:

4. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
5. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.

Traffic Control Provisions:

6. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5 foot wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5 foot clear pedestrian path, an exception may be considered.
7. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
8. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

9. The City Engineer shall approve the design, number, and location of curb cuts.
10. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter, and sidewalk.

Drainage:

11. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
12. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
13. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
14. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
15. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

City/County Fire Division:

Case Number: PD 22 18

Date Reviewed: 8/22/22

Reviewed by: J. Stinson

Address or Site Reference: 4601 Hutton Way

- All design and construction shall comply with the 2021 edition of the International Fire Code (as locally amended) and referenced standards.
- Solar Photovoltaic Power systems shall comply with section 1205
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).

- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience:

MEMORANDUM

To: Seth Thomas, Principal Planner

From: Leigh Huffman, Municipal Planner

Date: August 31, 2022

Subject: OSR Comments on PD 22-18: AIRPORT ADJACENT

General Comments & Analysis:

Located in Zone 1 and Zone 4 of the Resilience Zone Framework:

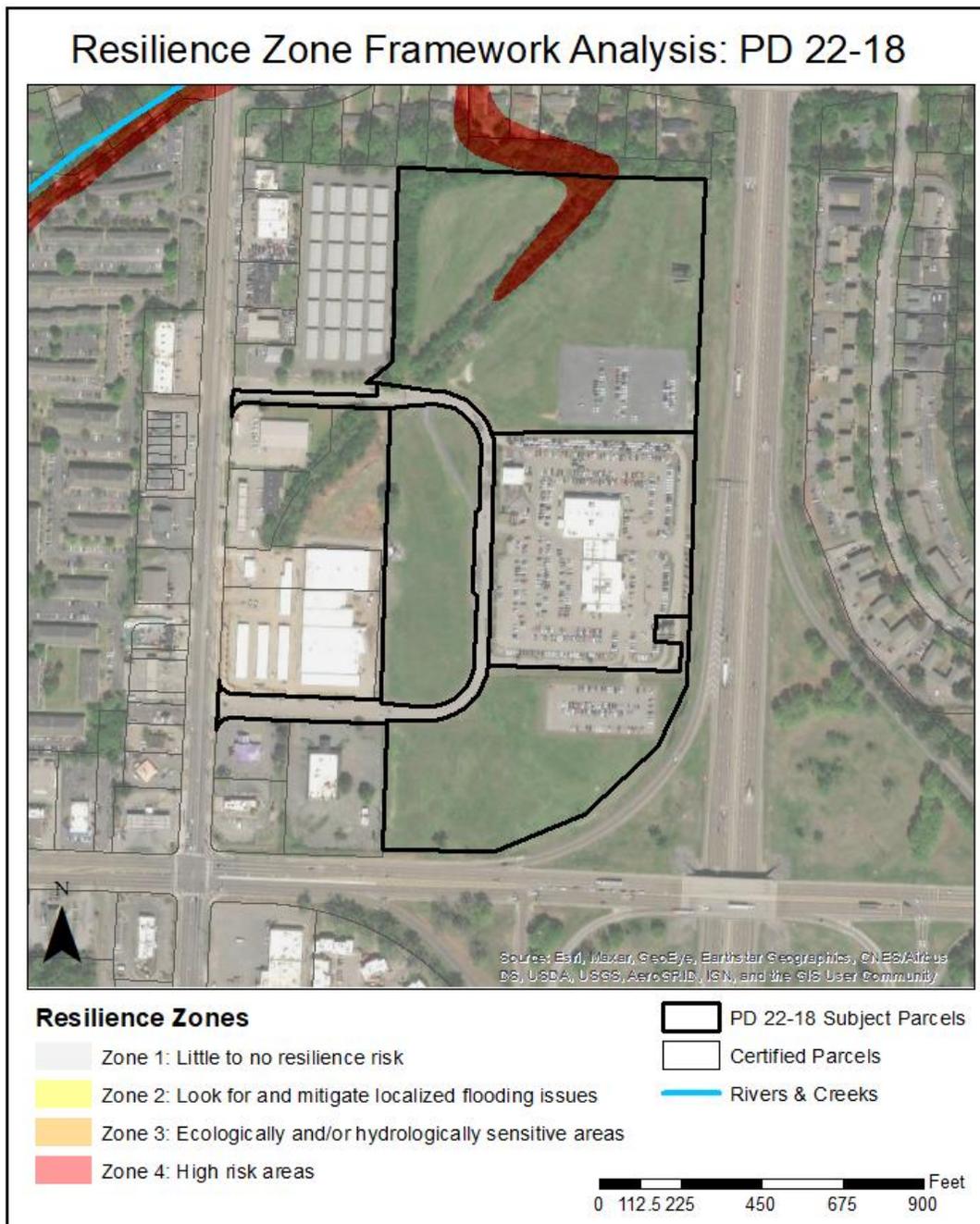
Zone 1 areas have the lowest level of development risk and conflict. These areas avoid high risk disaster zones, such as floodplains, and they also do not conflict with sensitive ecological areas. These areas are the most straightforward for development, and development would have the lowest impact on regional resilience. Consider incorporating the protection of ecological assets while balancing the promotion of low-impact site design and compact development typologies in appropriate areas.

Zone 4 areas are high risk locations, namely riparian corridors, floodplains, and especially high vulnerability to earthquakes. Development in these locations is often directly at risk for flooding. Although these risks could be mitigated through the construction of major flood control infrastructure and higher seismic construction standards, it is generally advisable to avoid these areas for future development whenever possible. Efforts should be made to protect and further prevent development within Zone 4 for the purposes of mitigating the risk exposure to health and safety.

A small portion of the Planned Development is in Zone 4 due to the 500-year floodplain (0.2% annual chance of flooding) located on the parcel. Most of the 500-year floodplain is within the drainage easement and no structures or impervious surfaces are proposed within the Zone 4 areas.

The Applicant has included a solar farm as a permitted land use.

The proposed outline plan does show increased impervious surfaces on the lot, but also includes planning for a stormwater detention facility and landscaping that will increase the amount of leafy vegetation on the lot.



Consistent with the Mid-South Regional Resilience Master Plan best practices: Yes

This planned development amendment request is generally consistent with the Mid-South Regional Resilience Master Plan. The proposed solar farm will increase the redundancy in our local power grid (Section 5.5 Community Energy). The proposed site plan locates all development outside of the floodplain, which is consistent with Section 4.3 Flood Smart Development. The proposed permeable surfaces and landscaping on the site plan will help mitigate stormwater runoff, improve air quality, and improve ecological health. The proposed deciduous trees will also help reduce the surface temperature on the lot (Section 5.7 Trees).

However, there is still a large amount of proposed impervious surface with this planned development, and care should be taken to integrate the landscaping islands as part of a cohesive stormwater runoff management system.

Consistent with the Memphis Area Climate Action Plan best practices: Yes

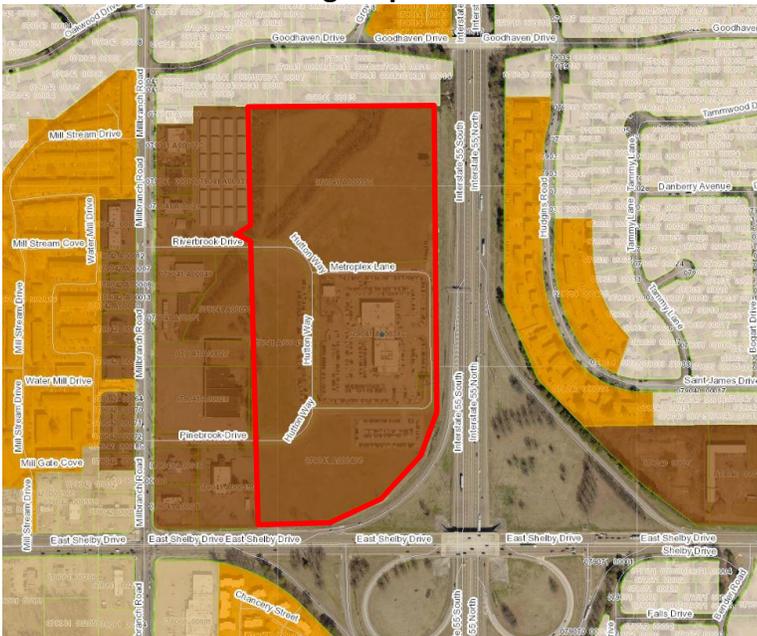
The Applicant has included several conditions that are consistent with the Memphis Area Climate Action Plan.

- The proposed solar farm will contribute to the community-wide goal to decarbonize the electric grid with renewable energy (Priority Action E.6).
- Increasing the green infrastructure through planting the proposed trees and bushes will expand the urban tree canopy (Priority Action E.7). In addition to the benefits mentioned above, expanding the tree canopy increases carbon emission capture and reduces energy costs depending on the surrounding site conditions and proximity to buildings.
- The site plan proposes a charging station plaza for electric vehicles. Continuing to expand the network of charging stations will help encourage the adoption of electric vehicles (Priority Action T.5).

Recommendations: Staff urges the developer to use Low Impact Development (LID) techniques for managing stormwater runoff. Specific suggestions include designing the parking lot to allow stormwater to flow into the parking lot landscaped areas and using a combination of asphalt and a permeable paving system for the parking lot. For example, the drive aisles could be asphalt and the parking spaces could be permeable pavers.

Office of Comprehensive Planning:

1. Future Land Use Planning Map



Red polygon indicates the application site on the Future Land Use Map.

2. Land Use Description/Intent

High Intensity Commercial and Service areas typically not associated with anchors. These areas may include commercial uses that serve a larger trade area; this may include large-scale retail, self-storage, vehicle sales, leasing and repair, water-oriented services, lodging, indoor recreation, and social service institutions. Graphic portrayal of CSH is to the right.



“CSH” Form & Location Characteristics

Commercial and services uses with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map, 1-7 stories height

“CSH” Zoning Notes

Generally compatible with the following zone districts: CMU-2, CMU-3 without frontage requirements, C-G in accordance with Form and characteristics listed below. Consult zoning map and applicable overlays for current and effective regulations. May consider rezoning, as appropriate, at the time of a small area plan.

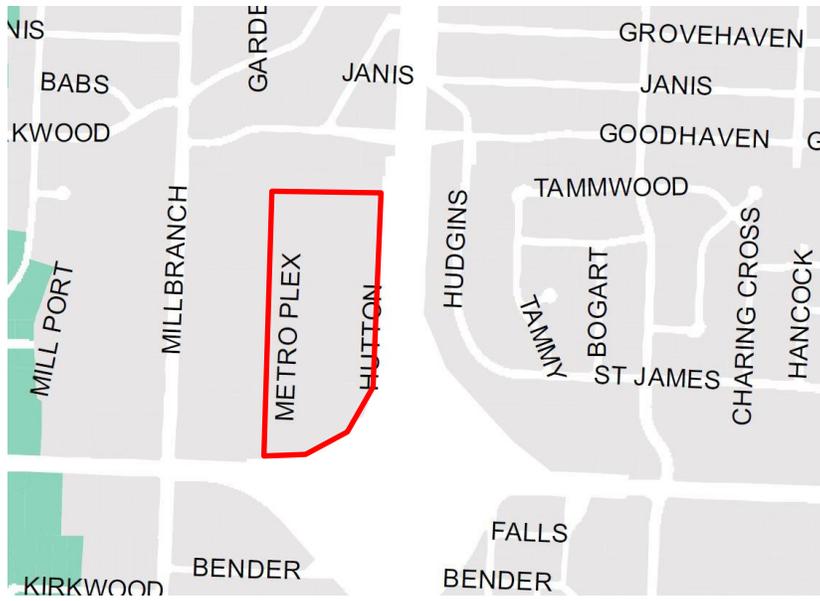
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, CMU-3

Adjacent Land Use and Zoning: Commercial; CMU-1, R-15

Overall Compatibility: *The requested use is compatible with the land use description/intent, form & location characteristics, and existing, adjacent land uses and zoning.*

3. Degree of Change Map



Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change.

4. Degree of Change Description

N/A

5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities

N/A

6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations

N/A

Consistency Analysis Summary

The applicant is seeking a planned development approval to expand the vehicle sales facility and construct a solar farm facility at 4601 Hutton Way

The requested use is compatible with the land use description/intent, form & location characteristics, and existing, adjacent land uses and zoning.

Based on the information provided, the proposal is CONSISTENT with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Faria Urmey, Comprehensive Planning.

APPLICATION



MEMPHIS AND SHELBY COUNTY

Record Summary for Planned Development

Record Detail Information

Record Type: Planned Development

Record Status: Assignment

Opened Date: July 22, 2022

Record Number: PD 2022-018

Expiration Date:

Record Name: CDKIM CAMPUS PLANNED DEVELOPMENT

Description of Work: Planned Development to regulate the development of a vehicle sales campus at the existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).

Parent Record Number:

Address: 4601 HUTTON WAY, MEMPHIS 38116

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Yes	HUTTON HENRY LLC	2471 MOUNT MORIAH, MEMPHIS, TN 38115	

Parcel Information

Parcel No:
079041 A00038C

Contact Information

Name	Organization Name	Contact Type	Phone
Young Kim	Young Kim, LLC	Applicant	(901) 647-5606

Suffix:
Address

Name	Organization Name	Contact Type	Phone
Cory Brady	Integrated Land Solutions, PLLC	Representative	(901) 493-6996

Address

Name	Organization Name	Contact Type	Phone
Joe Wiseman	Harris & Associates	Architect / Engineer / Surveyor	(901) 362-2345

Address

Name	Organization Name	Contact Type	Phone
Henry Hutton	Henry Hutton LLC	Property Owner of Record	(901) 493-6996

Address

Fee Information

Invoice #	Fee Item	Quantity	Fee	Status	Balance	Date Assessed	Unit	Fee Code
1403269	Planned Development - each additional or fractional acres above 5	32	3,164.00	INVOICED	0.00	08/04/2022	Acres	PLNGPUD02
1403269	Credit Card Use Fee (.026 x fee)	1	121.26	INVOICED	0.00	08/04/2022		PLNGPUD08
1403269	Planned Development - 5 acres or less	1	1,500.00	INVOICED	0.00	08/04/2022	Acres	PLNGPUD01

Total Fee Invoiced: \$4,785.26

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$4,785.26	Credit Card

Data Fields

GENERAL PROVISIONS

UDC Sub-Section 4.10.3A

Refer to response above. (UDC 9.6.9.A)

B) An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development

Refer to response above.
 (UDC 9.6.9.C)

C) The location and arrangement of the structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation

Understood and compliant.

D) Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest

The planned development is consistent with public interest.

E) Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements

Understood

F) Lots of record are created with the recording of a planned development final plan

Understood/Lots exist.

GIS INFORMATION

Central Business Improvement District	No
Case Layer	PD03-333, SAC2007-601, SAC_2003-811
Class	C
Downtown Fire District	No
Historic District	-
Land Use	COMMERCIAL
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	CMU-3
State Route	-
Lot	4 & 5
Subdivision	HUTTON S/D

Planned Development District -

Wellhead Protection Overlay District -

Data Tables

AREA INFORMATION

Name:	Overall
Size (Acres):	38.64
Existing Use of Property:	Vehicle Sales
Requested Use of Property:	Vehicle Sales

LETTER OF INTENT

INTEGRATED LAND SOLUTIONS, pllc
planning • design • landscape architecture

July 22, 2022

Brett Ragsdale, AICP
Zoning Administrator
Memphis and Shelby County Office of Planning and Development
125 North Main Street, Suite 468
Memphis, TN 38104

Re: Planned Development Application
Hutton Subdivision (PB 244, PG 30)

Mr. Ragsdale,

On behalf of the applicant, Young Kim, LLC, I am pleased to submit a planned development application for the 36.64 combined acres recorded as the Hutton Subdivision in plat book 244, page 30. The 13 lot subdivision is generally located at the northwest corner of the Interstate 55 /Shelby Drive intersection, formally known and presently operating as the Chuck Hutton Toyota automotive dealership. The planned development is intended to best facilitate a campus format expansion of the automotive dealership to include additional buildings, parking areas, and other ancillary structures in support of the principal vehicle sales and service use.

The Hutton Subdivision is a residual portion of the larger, 25-lot Southbrook Office Park Subdivision established in 1974. In September of 2007, the Hutton Subdivision was established (*#S 07-027*) in compliance with the C-H Highway Commercial district provisions of the City's historic 1981 zoning ordinance and subdivision regulations. In 2007, Pinebrook Drive was closed and converted to a Private Drive (*SAC 07-601*). In 2009, the automotive dealership was legally permitted (*B0967020*) and as has been in continuous operation, owned and operated by the Henry Hutton, LLC.

Prior to the adoption of the City's Unified Development Code, the historic C-H Highway Commercial district permitted "*motor vehicle sales, motor vehicle parking lots, motor vehicle service*", and other associated uses by right. The master plan for the Hutton automotive dealership was established under those provisions assuming that supporting uses and structures could be located on any number of the previously established lots within the confines of the overall Hutton Subdivision boundary. However, in 2010 when the UDC was adopted the C-H zoning district was replaced by the CMU-3 zoning district and the established vehicle sales use became legal non-conforming. To overcome these regulatory constraints, the applicant is seeking planned development approval to legitimize the vehicles sales use and thereby allow the future expansion of the automotive dealership campus.

INTEGRATED LAND SOLUTIONS, pllc
planning • design • landscape architecture

On behalf of the applicant, I appreciate your consideration and look forward to discussing the request in more detail with City staff, Board members and City Council representatives. A pre-application conference was held with Seth Thomas on June 10, 2022. Please find enclosed the supplemental information necessary for your review. If you should have any questions, please do not hesitate to contact me. Thank you for your consideration of this request.

Respectfully,



Cory Brady, PLA, AICP
Integrated Land Solutions, PLLC

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Cory Brady, being duly sworn, depose and say that at 10:30 am/pm on the 25 day of August, 2022, I posted 4 Public Notice Sign(s) pertaining to Case No. PD 2022-18 at 4601 Hutton Way, providing notice of a Public Hearing before the (check one):

- Land Use Control Board
- Board of Adjustment
- Memphis City Council
- Shelby County Board of Commissioners

for consideration of a proposed land use action, a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Cory Brady
Owner, Applicant or Representative

8/25/22
Date

Subscribed and sworn to before me this 25th day of August, 2022

Sonia Cantrell
Notary Public
My Commission Expires August 05, 2024



My commission expires: _____

My Commission Expires August 05, 2024

LETTERS RECEIVED

No letters received at the time of completion of this report.



MEMPHIS AND SHELBY COUNTY

Record Summary for Planned Development

Record Detail Information

Record Type: **Planned Development**

Record Status: **Assignment**

Opened Date: **July 22, 2022**

Record Number: **PD 2022-018**

Expiration Date:

Record Name: **CDKIM CAMPUS PLANNED DEVELOPMENT**

Description of Work: **Planned Development to regulate the development of a vehicle sales campus at the existing Chuck Hutton Toyota automotive dealership and surrounding lots established as the Hutton Subdivision (PB 244 PG 30).**

Parent Record Number:

Address: 4601 HUTTON WAY, MEMPHIS 38116

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Primary	Owner Name	Owner Address	Owner Phone
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Parcel No:
079041 A00038C

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Name	Organization Name	Contact Type	Phone
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Suffix:			
Address			

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Address			

Joe Wiseman	Harris & Associates	Architect / Engineer / Surveyor	(901) 362-2345
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Total Fee Invoiced: \$4,785.26

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$4,785.26	Credit Card

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Seth Thomas
Date of Meeting 06/10/2022

GENERAL PROJECT INFORMATION

Planned Development Type New Planned Development (PD)
Previous Docket / Case Number S 07-027
Medical Overlay / Uptown No
If this development is located in unincorporated Shelby County, is the tract at least three acres? (Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County) N/A
Is this application in response to a citation, stop work order, or zoning letter No
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information -

APPROVAL CRITERIA

UDC Sub-Section 9.6.9A The project facilitates the implementation of a campus master plan for the existing automotive dealership facility and surrounding lots established with the Hutton Subdivision (PB 244 PG 30). The project represents a significant investment into the district with no substantial or undue adverse effect upon the neighborhood.

UDC Sub-Section 9.6.9B The project will be constructed and arranged within an established subdivision that is compatible with the immediate vicinity. The project will not interfere with the development and/or use of adjacent properties.

UDC Sub-Section 9.6.9C The project is adequately served by all essential infrastructure.

UDC Sub-Section 9.6.9D No such features exist.

UDC Sub-Section 9.6.9E The planned development complies with all known governing provisions.

UDC Sub-Section 9.6.9F The request is consistent with the Memphis 3.0 plan. The subject property is designated as "High Intensity Commercial & Services". No other plans are to be considered.

GENERAL PROVISIONS

UDC Sub-Section 4.10.3A

B) An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development

Refer to response above. (UDC 9.6.9.A)

Refer to response above.
(UDC 9.6.9.C)

C) The location and arrangement of the structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation

Understood and compliant.

D) Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest

The planned development is consistent with public interest.

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Understood

F) Lots of record are created with the recording of a planned development final plan

Understood/Lots exist.

GIS INFORMATION

Central Business Improvement District

No

Case Layer

PD03-333, SAC2007-601, SAC_2003-611

Class

C

Downtown Fire District

No

Historic District

-

Land Use

COMMERCIAL

Municipality

MEMPHIS

Overlay/Special Purpose District

-

Zoning

CMU-3

State Route

-

Lot

4 & 5

Subdivision

HUTTON S/D

Planned Development District -
Wellhead Protection Overlay District -

Data Tables

AREA INFORMATION

Name:	Overall
Size (Acres):	36.64
Existing Use of Property:	Vehicle Sales
Requested Use of Property:	Vehicle Sales

MEMPHIS AND SHELBY COUNTY  **DIVISION OF PLANNING AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Henry Howard LLC (Print Name) [Signature] (Sign Name) state that I have read the definition of

“Owner” as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 4601 Hutton Way, Memphis, TN 38116
and further identified by Assessor's Parcel Number 079041 A000 Parcel 350, 380, 400, 430
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this JULY day of 2022

[Signature]
Signature of Notary Public



8/18/2024
My Commission Expires

INTEGRATED LAND SOLUTIONS, pllc

planning ▪ design ▪ landscape architecture

July 22, 2022

Brett Ragsdale, AICP
Zoning Administrator
Memphis and Shelby County Office of Planning and Development
125 North Main Street, Suite 468
Memphis, TN 38104

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On behalf of the applicant, I appreciate your consideration and look forward to discussing the request in more detail with City staff, Board members and City Council representatives. A pre-application conference was held with Seth Thomas on June 10, 2022. Please find enclosed the supplemental information necessary for your review. If you should have any questions, please do not hesitate to contact me. Thank you for your consideration of this request.

Respectfully,



Cory Brady, PLA, AICP
Integrated Land Solutions, PLLC

CDKIM Planned Development
Outline Plan Conditions

I. INTENT

The intent of this planned development is to regulate the sequential development of an automotive dealership campus having multiple dealerships and their accessory uses and/or structures distributed among the 36.64-acre property.

II. USES PERMITTED

- A. Vehicle Sales, Rental, or Leasing (Excluding Tractor Trailers, Heavy Trucks, Manufactured Housing); Vehicle Service; Vehicle Repair, Minor Utilities, CMCS Towers and facilities, Solar Farm, Permanent Off-Premise Advertising Sign (See VI.B.), Commercial Parking.
- B. Accessory Uses shall be permitted in accordance with Chapter 2.9 of the Unified Development Code.
- C. Principal and/or Accessory uses shall be permitted upon any lot or portion of any lot established by the Hutton Subdivision (PB 244 PG 30)

II. BULK REGULATIONS

- A. The Building Envelope Standards for Nonresidential CMU-3 District Section 3.10.B of the Unified Development Code shall apply. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions apply.
- B. Building Setbacks:
 - 1. Front:
 - a. Interstate 55: 25-feet
 - b. Shelby Drive East: 25-feet
 - c. Metro Plex Lane: 30-feet
 - 2. Perimeter Side/Rear:
 - a. Lot 1 and Lot 2: 25-feet
 - b. Lot 7 and Lot 8: 25-feet
 - c. Lots 9-12: 15-feet
 - 3. Interior Side: 5-feet

III. ACCESS, PARKING AND CIRCULATION

- A. Riverbrook Drive (private, existing), Pinebrook Drive (private, existing), and Metro Plex Lane (private, existing) shall be owned and maintained by the property owner or a property owner's association.
- B. Access to Southbrook Office Park (PB 60 PG 4) shall be conveyed via Ingress/Egress Easement per instrument # 08024069.

- C. All Internal drives shall be private, owned and maintained by the property owner or a property owners association.
- D. Access to Shelby Drive or Interstate 55 is prohibited.
- E. The design and location of curb cuts to be approved by the City Engineer.
- F. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader, etc.
- G. Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or tract.
- F. Off Street Parking:
 - 1. Shared parking shall be allowed for all permitted uses.
 - 2. Off street parking spaces shall conform Chapter 4.5 of the Unified Development Code.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Sub-Section 4.5.5(D) and Chapter 4.6 of the Unified Development Code shall apply as modified.
- B. LS Plate A-1 Modified, A-2, or A-3 (or equivalent) shall be required along the frontages of Shelby Drive, Interstate 55 and Metro Plex Lane.
- C. LS Plate A-1 Modified or equivalent shall be required along the north boundary of the property.
- D. Dumpsters and similar kinds of trash containers shall be full enclosed by opaque walls, at least eight 8-feet in height with self-closing access doors and shall be constructed of materials and methods similar to that of the building.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.

VI. SIGNS

- A. Signs shall be permitted in accordance Chapter 4.9 of the Unified Development Code as modified.

- B. No more than two (2) Permanent Off-Premise Signs shall be permitted. Permanent Off-Premise signs shall be regulated in accordance with Section 4.9.8 of the Unified Development Code and as follows.
- C. Two (2) Integrated Center Signs shall be permitted. One at the intersection of Pinebrook Drive North and one Pinebrook Drive South.
- D. All signage shall be shown on the final plat and be subject to administrative review and approval by the Division of Planning and Development. Note identifying dimensional signage areas rather than specific branding is acceptable.

VII. DRAINAGE

- A. All drainage plans shall be submitted to the City Engineer for review and approval.
- B. The developer is required under 40CFR 122.26(b)(14) and TCA 69-3-101 et. Seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

VIII. MISCELLANEOUS

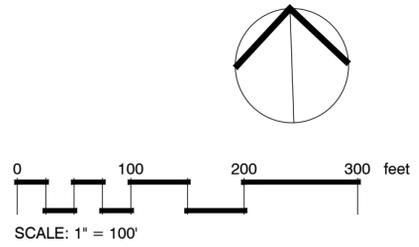
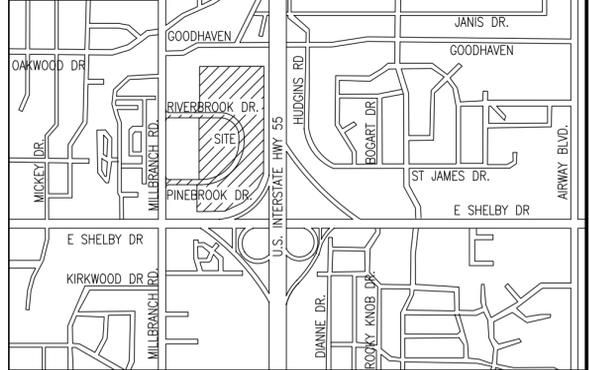
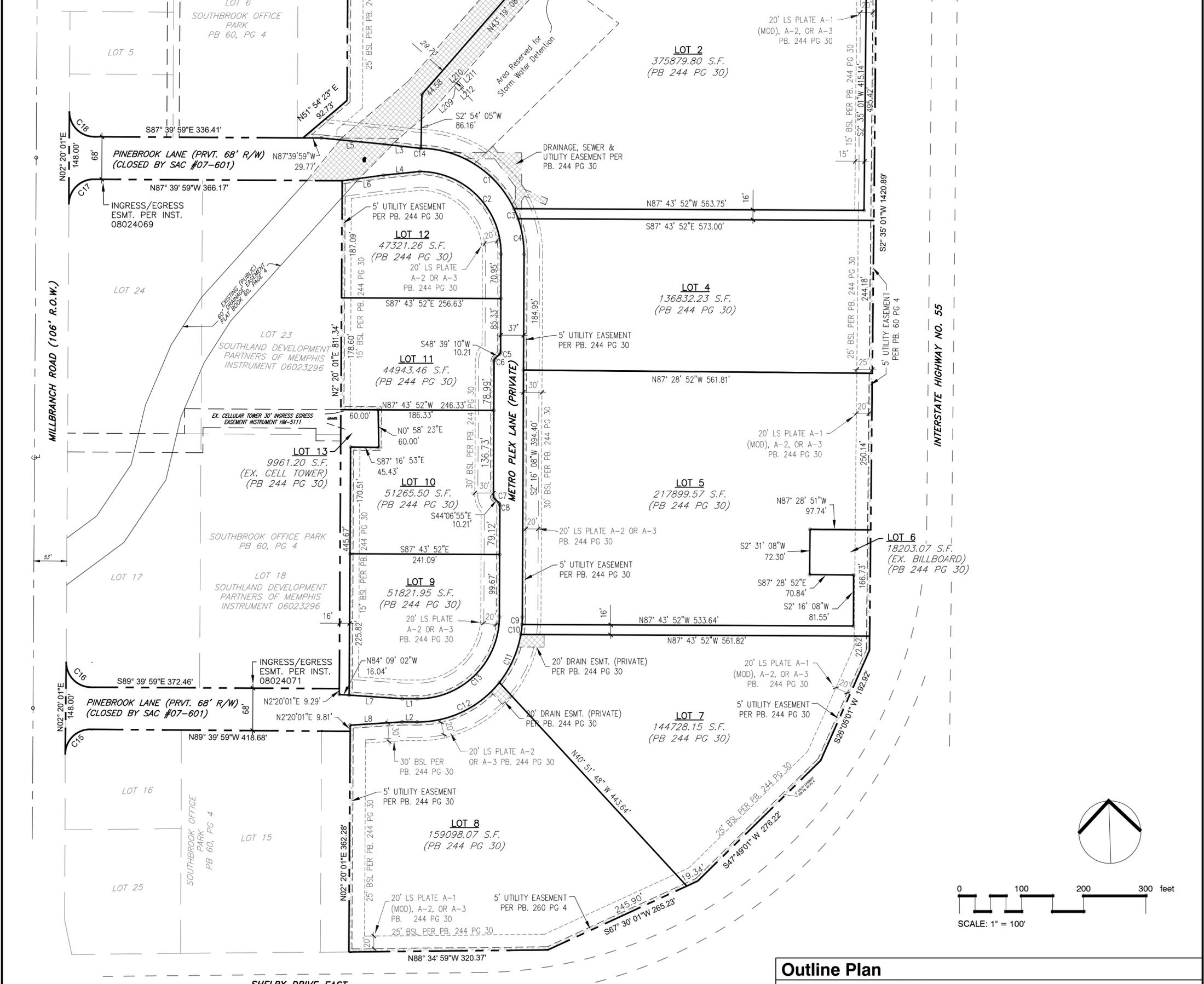
- A. The Land Use Control Board may modify the building and parking placement, building elements streetscapes and landscaping, site development standards, signs, outdoor site lighting and public improvements if equivalent alternatives are presented. Any adjacent property owner who is dissatisfied with the modifications approve by the Land Use Control Board may within ten (10) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.
- B. All common areas shall be owned and maintained by the property owners association recorded in the Shelby County Register Office.

VIII. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2) of the Unified Development Code. An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16 of the Unified Development Code.

CURVE TABLE						
#	Radius	Length	Delta	Tangent	Chord	Chord Bearing
C1	168.50	187.59	63°48'08"	104.85	178.05	S55°12'35"E
C2	131.50	206.41	89°56'07"	131.35	185.86	S42°41'56"E
C3	168.50	17.34	5°53'50"	8.68	17.34	S20°22'06"E
C4	168.50	57.90	19°41'18"	29.24	57.62	S07°34'32"E
C5	4.50	3.64	46°23'03"	1.93	3.54	S25°27'39"W
C6	5.50	4.45	46°23'03"	2.36	4.33	S25°27'39"W
C7	5.50	4.45	46°23'03"	2.36	4.33	S20°55'24"E
C8	4.50	3.64	46°23'03"	1.93	3.54	S20°55'24"E
C9	168.50	11.93	04°03'23"	5.97	11.93	S04°17'49"W
C10	168.50	16.12	05°28'52"	8.07	16.11	S09°03'56"W
C11	168.50	85.06	28°55'27"	43.46	84.16	S26°16'06"W
C12	168.50	151.76	51°36'12"	81.46	146.68	S66°31'55"W
C13	131.50	206.71	90°03'53"	131.65	186.07	N47°18'04"E
C14	168.50	1.66	00°33'50"	0.83	1.66	S87°23'04"E

LINE TABLE		
#	Length	Direction
L1	24.20	S87°43'52"E
L2	24.20	S87°43'52"E
L3	57.54	N81°30'33"W
L4	58.81	S86°16'08"W
L5	102.09	S82°25'25"E
L6	67.21	N84°23'28"E
L7	85.66	N84°09'02"W
L8	83.76	N88°27'21"E



Outline Plan		
CDKIM CAMPUS PD		
(Formerly Hutton Subdivision - PB 244, PG 30)		
CASE NUMBER: PD ###-###	FORMER CASE NUMBERS: S 07-027	
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 13	ACREAGE: 36.64	WARD 79, BLOCK 41-A, PARCELS 35C, 38C, 40C, 43C
DEVELOPER: YOUNG KIM 4601 HUTTON WAY MEMPHIS, TN 38138	SURVEYOR: HARRIS & ASSOCIATES 554 GREEN TREE COVE, STE 102B COLLIERVILLE, TN 38017	
100 YEAR FLOOD ELEV: 262	FEMA MAP PANEL No. 470177 0420 F	FEMA MAP DATE: 9/28/2007
AUGUST 2022	SCALE: 1" = 100'	SHEET 1 OF 4

landscape architecture
planning

INTEGRATED LAND SOLUTIONS, PLLC
9967 Bentwood Creek Cv. Collierville, Tn 38017
901.493.6996 corybrady@gmail.com

I. INTENT

The intent of this planned development is to regulate the sequential development of an automotive dealership campus having multiple dealerships and their accessory uses and/or structures distributed among the 36.64-acre property.

II. USES PERMITTED

- A. Vehicle Sales, Rental, or Leasing (Excluding Tractor Trailers, Heavy Trucks, Manufactured Housing); Vehicle Service; Vehicle Repair, Minor Utilities, CMCS Towers and facilities, Solar Farm, Permanent Off-Premise Advertising Sign (See VI.B.), Commercial Parking.
- B. Accessory Uses shall be permitted in accordance with Chapter 2.9 of the Unified Development Code.
- C. Principal and/or Accessory uses shall be permitted upon any lot or portion of any lot established by the Hutton Subdivision (PB 244 PG 30)

III. BULK REGULATIONS

- A. The Building Envelope Standards for Nonresidential CMU-3 District Section 3.10.B of the Unified Development Code shall apply. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions apply.
- B. Building Setbacks:
 - 1. Front:
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- A. The landscape and screening specifications outlined in Sub-Section 4.5.5(D) and Chapter 4.6 of the Unified Development Code shall apply as modified.
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- D. All signage shall be shown on the final plat and be subject to administrative review and approval by the Division of Planning and Development. Note identifying dimensional signage areas rather than specific branding is acceptable.

VIII. DRAINAGE

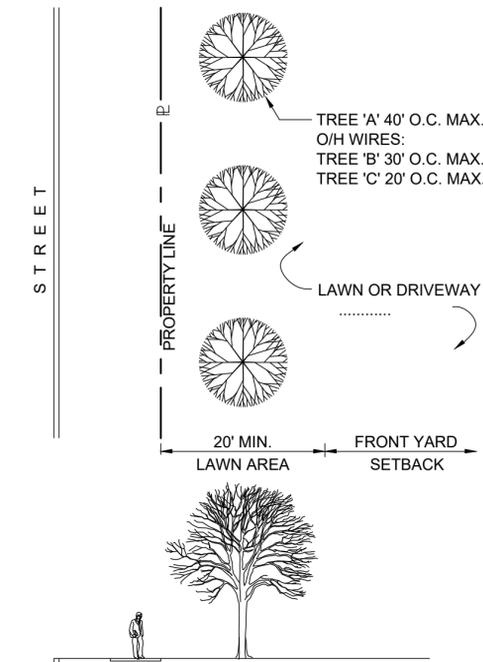
- A. All drainage plans shall be submitted to the City Engineer for review and approval.
- B. The developer is required under 40CFR 122.26(b)(14) and TCA 69-3-101 et. Seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

IX. MISCELLANEOUS

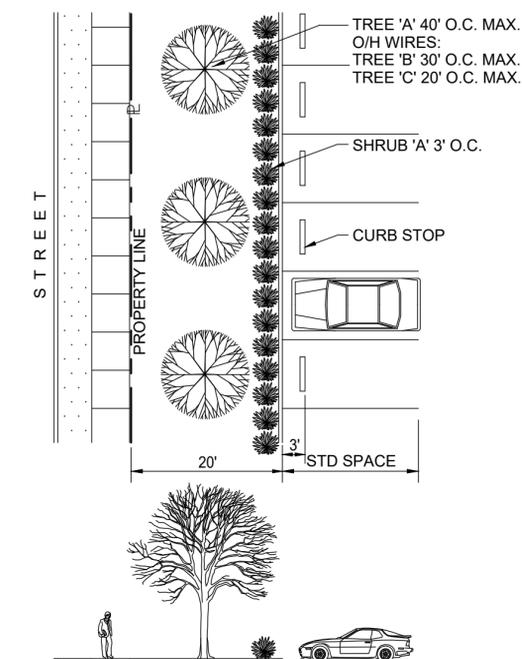
- A. The Land Use Control Board may modify the building and parking placement, building elements streetscapes and landscaping, site development standards, signs, outdoor site lighting and public improvements if equivalent alternatives are presented. Any adjacent property owner who is dissatisfied with the modifications approve by the Land Use Control Board may within ten (10) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.
- B. All common areas shall be owned and maintained by the property owners association recorded in the Shelby County Register Office.

X. PERIOD OF VALIDITY

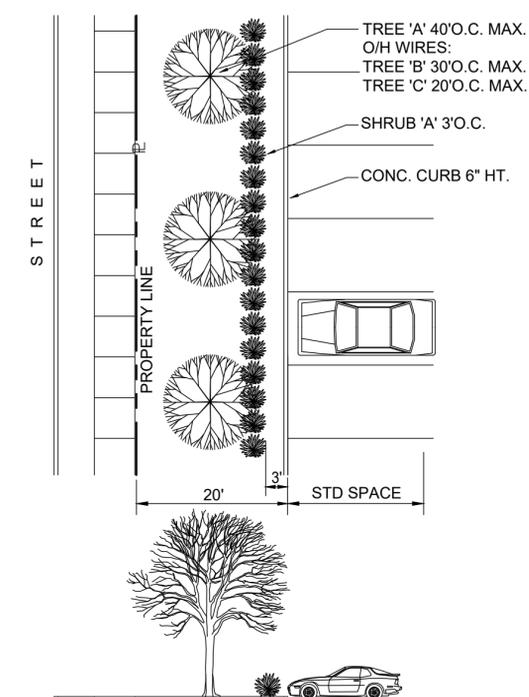
- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2) of the Unified Development Code. An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16 of the Unified Development Code.



LANDSCAPE PLATE "A-1 (MODIFIED)"
(N.T.S.)



LANDSCAPE PLATE "A-2"
(N.T.S.)



LANDSCAPE PLATE "A-3"
(N.T.S.)

Conditions		
CDKIM CAMPUS PD		
(Formerly Hutton Subdivision - PB 244, PG 30)		
CASE NUMBER: PD ###-###		FORMER CASE NUMBERS: S 07-027
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 13	ACREAGE: 36.64	WARD 79, BLOCK 41-A, PARCELS 35C, 38C, 40C, 43C
DEVELOPER: YOUNG KIM 4601 HUTTON WAY MEMPHIS, TN 38138		SURVEYOR: HARRIS & ASSOCIATES 554 GREEN TREE COVE, STE 102B COLLIERVILLE, TN 38017
100 YEAR FLOOD ELEV: 262	FEMA MAP PANEL No. 470177 0420 F	FEMA MAP DATE: 9/28/2007
AUGUST 2022	SCALE: 1" = 100'	SHEET 2 OF 4



LOT 66 LOT 67
GARDEN VIEW SUB
(PB 21, PG 60)

MEMPHIS & SHELBY COUNTY TAX SALE
BOOK 9455, PAGE 3

5' UTILITY EASEMENT
PER PB. 244 PG 30

LS PLATE A-1
PB 244 PG 30

LS PLATE A-1
PB 244 PG 30

LOT 1
SOLAR FARM

APPROX. AREA
OF 500 YEAR FLOOD LINE
(SHADED ZONE X PER FIRM)

EXISTING (PUBLIC)
60' DRAINAGE EASEMENT
(PB 60, PG 4)

VEHICLE
STORAGE

LOT 3
EXISTING
BILLBOARD

5' UTILITY EASEMENT
PER PB. 244 PG 30

LOT 6
SOUTHBROOK OFFICE
PARK
PB 60, PG 4

LOT 5

20' LS PLATE A-1 (MOD)
PB. 244 PG 30

LOT 2
AUTOMOTIVE
DEALERSHIP

Area Reserved for
Storm Water Detention

DRAINAGE, SEWER &
UTILITY EASEMENT PER
PB. 244 PG 30

PINEBROOK LANE NORTH
(PRVT. 68' R/W)
(CLOSED BY SAC #07-601)

INGRESS/EGRESS
ESMT. PER INST.
08024069

LOT 12
OFFICE

20' LS PLATE
A-2 OR A-3
PB. 244 PG 30

EXISTING (PUBLIC)
60' DRAINAGE EASEMENT
(PB 60, PG 4)

ACC.
CAR
WASH

5' UTILITY EASEMENT
PER PB. 244 PG 30

LOT 4
EXISTING
AUTOMOTIVE
DEALERSHIP

5' UTILITY EASEMENT
PER PB. 60 PG 4

LOT 24

LOT 23
SOUTHLAND DEVELOPMENT
PARTNERS OF MEMPHIS
INSTRUMENT 06023296

LOT 11
VEHICLE WASH

5' UTILITY EASEMENT
PER PB. 244 PG 30

VEHICLE
STORAGE

LOT 10
DETAIL/
PHOTO

EX. CELLULAR TOWER 30' INGRESS/EGRESS
EASEMENT INSTRUMENT 14M-5111

LOT 13
9961.20 S.F.
(EX. CELL TOWER)
(PB 244 PG 30)

VEHICLE
STORAGE

20' LS PLATE A-1 (MOD)
PB. 244 PG 30

LOT 5
EXISTING
AUTOMOTIVE
DEALERSHIP

LOT 6
EXISTING
BILLBOARD

SOUTHBROOK OFFICE PARK
PB 60, PG 4

LOT 17

LOT 18
SOUTHLAND DEVELOPMENT
PARTNERS OF MEMPHIS
INSTRUMENT 06023296

LOT 9
SUPERCHARGING
PLAZA

20' LS PLATE A-2 OR A-3
PB. 244 PG 30

5' UTILITY EASEMENT
PER PB. 244 PG 30

INGRESS/EGRESS
ESMT. PER INST.
08024071

PINEBROOK LANE SOUTH
(PRVT. 68' R/W)
(CLOSED BY SAC #07-601)

20' DRAIN ESMT. (PRIVATE)
PER PB. 244 PG 30

20' LS PLATE A-1 (MOD)
PB. 244 PG 30

20' DRAIN ESMT. (PRIVATE)
PER PB. 244 PG 30

5' UTILITY EASEMENT
PER PB. 244 PG 30

20' LS PLATE A-2
OR A-3 PB. 244 PG 30

LOT 7
ACCESSORY VEHICLE
SALES LOT

LOT 8
AUTOMOTIVE
DEALERSHIP

5' UTILITY EASEMENT
PER PB. 244 PG 30

5' UTILITY EASEMENT
PER PB. 260 PG 4

LOT 16

SOUTHBROOK OFFICE
PARK
PB 60, PG 4

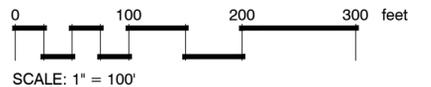
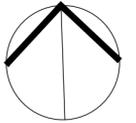
LOT 15

LOT 25

SHELBY DRIVE EAST

METRO PLEX LANE (PRIVATE)

INTERSTATE HIGHWAY NO. 55

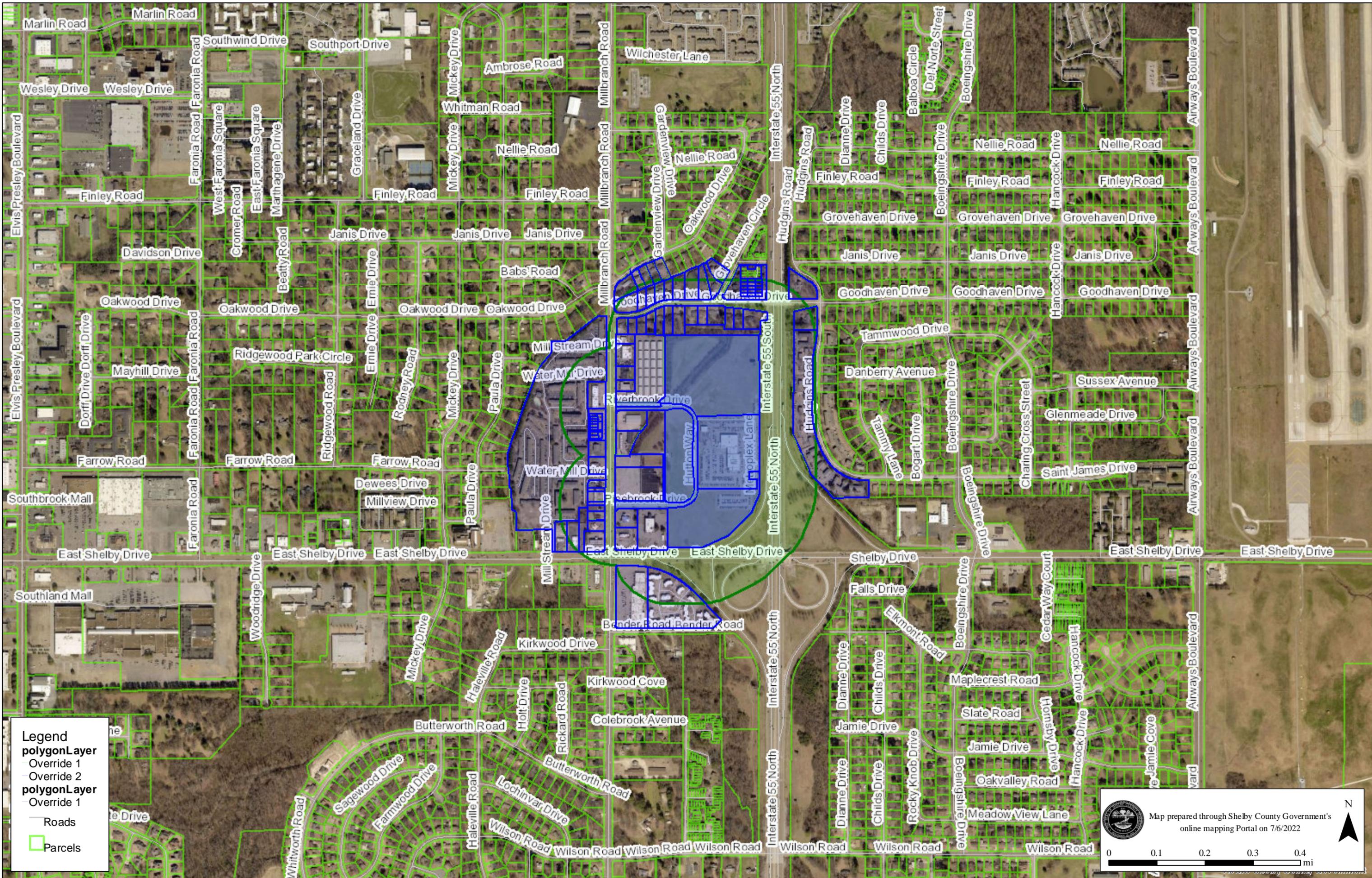


Concept Plan
CDKIM CAMPUS PD
(Formerly Hutton Subdivision - PB 244, PG 30)

CASE NUMBER: PD ###-###		FORMER CASE NUMBERS: S 07-027
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 13	ACREAGE: 36.64	WARD 79, BLOCK 41-A, PARCELS 35C, 38C, 40C, 43C
DEVELOPER: YOUNG KIM 4601 HUTTON WAY MEMPHIS, TN 38138		SURVEYOR: HARRIS & ASSOCIATES 554 GREEN TREE COVE, STE 102B COLLIERVILLE, TN 38017
100 YEAR FLOOD ELEV: 262	FEMA MAP PANEL No. 470177 0420 F	FEMA MAP DATE: 9/28/2007
AUGUST 2022	SCALE: 1" = 100'	SHEET 3 OF 4

landscape architecture
planning

INTEGRATED LAND SOLUTIONS, PLLC
9967 Bentwood Creek Cv. Collierville, Tn 38017
901.493.6996 corybrady@gmail.com



Legend

- polygonLayer Override 1
- polygonLayer Override 2
- polygonLayer Override 1
- Roads
- Parcels


 Map prepared through Shelby County Government's online mapping Portal on 7/6/2022





HUTTON HENRY LLC
2471 MOUNT MORIAH
MEMPHIS TN 38115

SANDLIAN COLBY B AND GENEVIEVE B
PO BOX 612
FISHERS IN 46038

HUTTON HENRY LLC
2471 MOUNT MORIAH RD
MEMPHIS TN 38115

COCAINE & ALCOHOL AWARENESS PROGRAM INC
PO BOX 2007
MEMPHIS TN 38101

KHALEF SAM W
6565 MCCAIN DR
SOUTHAVEN MS 38671

HUTTON HENRY LLC
2471 MOUNT MORIAH
MEMPHIS TN 38115

AUSTIN ONEIDA E
1731 OAKWOOD DR
MEMPHIS TN 38116

FREUNDLICH LANCE M
77 5TH AVE #2B
NEW YORK NY 10003

REED DEMETRIA L
1744 GOODHAVEN DR
MEMPHIS TN 38116

HERRON NINA D
1786 GROVEHAVEN CIR
MEMPHIS TN 38116

DAVIS EDDIE M
5395 LOCHINVAR RD
MEMPHIS TN 38116

MORGAN IDA L
4427 WILLOWGROVE CV
MEMPHIS TN 38116

HARRIS MARSHA D AND ASHUNN J
5338 HALEVILLE RD
MEMPHIS TN 38116

HEFFNER SAMUEL & THELMA R
1400 BLUEBERRY DR
MEMPHIS TN 38116

CUNNINGHAM ANTOINE AND ANGELA CUNNINGHAM
4785 ROCKY KNOB DR
MEMPHIS TN 38116

JONES CHRISTOPHER (ESTATE OF)
4439 WILLOWGROVE CV
MEMPHIS TN 38116

BURESS CARRIE J
1767 GOODHAVEN DR
MEMPHIS TN 38116

PICKENS ELAINE A
1783 GOODHAVEN DR
MEMPHIS TN 38116

MATHEWS HOLDING LLC
2 AMY CT
JAMESTOWN NC 27282

WILLIAMS GWIN & VALERIE D
4461 HUDGINS RD
MEMPHIS TN 38116

WILLIAMS TALMADGE & NOLIA B C
1719 GOODHAVEN DR
MEMPHIS TN 38116

AUGUST WISDOM PROPERTY TRUST
11781 MAGNOLIA PARK CT
LAS VEGAS NV 89141

NORTON LEROY JR
4557 MILLBRANCH RD
MEMPHIS TN 38116

NORTON LEROY JR
4557 MILLBRANCH RD
MEMPHIS TN 38116

O'S REALTY INC
1569 MAIN ST
SOUTHAVEN MS 38671

REALTY INCOME PROPERTIES 30 LLC
11995 EL CAMINO REAL
SAN DIEGO CA 92130

WARAICH PROPERTIES INC
3919 FOREST POINTE WAY
ARLINGTON TN 38002

MOFFIC EVAN B
315 ASPEN LN
HIGHLAND PARK IL 60035

MILLBROOKS SHARON & SYLVESTER
1709 OAKWOOD DR
MEMPHIS TN 38116

COUNCIL OF CO OWNERS OF WILLOWGROVE
1725 HOLMES RD
MEMPHIS TN 38119

HAMILTON REEDERL & CAROL B
1699 OAKWOOD DR
MEMPHIS TN 38116

GRIFFIN PAULINE AND FRANKIE L SMITH
4439 HUDGINS RD
MEMPHIS TN 38116

CHEN FRANK
1251 WILLIAM
HERCULES CA 94547

TREJO LUIS
1736 GOODHAVEN DR
MEMPHIS TN 38116

JOPLIN JOAN H AND CHARLES L DORSEY SR
4431 WILLOWGROVE CV
MEMPHIS TN 38116

OMO RENE
2197 WESTMORELAND DR
SAN JOSE CA 95124

JACKSON LINDSAY D
1787 GROVEHAVEN CIR
MEMPHIS TN 38116

WALLACE HELEN L
4433 WILLOWGROVE CV
MEMPHIS TN 38116

WASHINGTON KEITH
4432 WILLOWGROVE CV
MEMPHIS TN 38116

BRANCH BRUCE B
2631 MISTYWOODS CV S
CORDOVA TN 38016

MULL ALONZO JR
4437 WILLOWGROVE CV
MEMPHIS TN 38116

MYLES DARRYL K
4436 WILLOWGROVE CV
MEMPHIS TN 38116

JETT DEDRICK S
1783 GROVEHAVEN CIR
MEMPHIS TN 38116

DUKES CHARLES E
4438 WILLOWGROVE CV
MEMPHIS TN 38116

IGDS LLC

EDMOND EARNEST & DAISY J
1773 GOODHAVEN DR
MEMPHIS TN 38116

AYERS CALANDRA M AND MARVIN L AYERS
1797 GOODHAVEN DR
MEMPHIS TN 38116

CONNER MAXINE
1805 GOODHAVEN DR
MEMPHIS TN 38116

GARDNER HARRIETTE
3563 PENTON ST
JACKSONVILLE FL 32209

RELI LLC
1001 YORKTOWN RD
COLLIERVILLE TN 38017

TENNESSEE WATKINS LLC
20276 E 1110 RD
ELK CITY OK 73644

MORSHED IBRAHIM (3/4%) AND NAGI-A-SALEH
4480 MILLBRANCH
MEMPHIS TN 38116

NAKHLEH KAMAL I & RAYA H
1295 BRADY HOLLOW LN
CORDOVA TN 38018

TRAN CAM LAI THI
375 STONEWALL ST
MEMPHIS TN 38112

LITTLE DANIEL J AND CHERI L SIMMONS
631 MYSTIC LN
SACRAMENTO CA 95864

TURTLE CREEK OF TENNESSEE
PO BOX 27249
INDIANAPOLIS IN 46227

EDWARDS KENNETH W
8652 POPLAR PIKE
GERMANTOWN TN 38138

O'S REALTY INC
1569 MAIN ST
SOUTHAVEN MS 38671

MCGEE JESSE E LIVING TRUST
9222 S RIVEREDGE DR
CORDOVA TN 38018

ROBINSON FRANK L & NAOMI C LIVING TRUST
3769 MASONWOOD LN
MEMPHIS TN 38116

WARAICH PROPERTIES INC
3919 FOREST POINTE WAY
LAKELAND TN 38002

WARAICH PROPERTIES INC
3919 FOREST POINTE WAY
LAKELAND TN 38002

TRIMMERS BARBAR SHOP & STYLE INC
1020 HESTER RD
MEMPHIS TN 38116

WARAICH PROPERTIES INC
3919 FOREST POINTE WAY
LAKELAND TN 38002

WARAICH PROPERTIES INC
3919 FOREST POINTE WAY
BOLIVAR TN 38008

6647 BERGEN REALTY LLC
711 TOMPKINS AVE
STATEN ISLAND NY 10305

WARAICH PROPERTIES INC
3919 FOREST POINTE WAY
LAKELAND TN 38002

F & L ASSOCIATES
10325 LONG RD
ARLINGTON TN 38002

HOPKINS DOROTHY N
1766 GOODHAVEN DR
MEMPHIS TN 38116

BLAIR HAROLD & GLORIA J
1792 GROVEHAVEN CIR
MEMPHIS TN 38116

HUTTON HENRY LLC
2471 MOUNT MORIAH
MEMPHIS TN 38115

CROSBY MARY AND CHANNIN CROSBY (RS)
1743 GOODHAVEN DR
MEMPHIS TN 38116

PICKENS CHARLES A
1783 GOODHAVEN DR
MEMPHIS TN 38116

SINGH BALDEV (50%) AND PARAMJIT KAUR
4560 MILLBRANCH
MEMPHIS TN 38116

MOATESEM ITAYEM
4599 MILLBRANCH RD
MEMPHIS TN 38116

ITAYEM MOATESEM I & ROZANA IWAIS
4056 DELGATE CV
MEMPHIS TN 38125

ITAYEM MOATESEM
4599 MILLBRANCH RD
MEMPHIS TN 38116

MOATESEM ITAYEM
4599 MILLBRANCH RD
MEMPHIS TN 38116

FIFTY FIVE SHELBY METROPLEX
2471 MOUNT MORIAH RD
MEMPHIS TN 38115

UNITED STORAGE PARTNERS LLC
4901 N ARMENIA AVE
TAMPA FL 33603

UNITED STORAGE PARTNERS LLC
4901 N ARMENIA AVE
TAMPA FL 33603

LEDBETTER SCOTT P
555 PERKINS EXT #200
MEMPHIS TN 38117

1776 GOODHAVEN DRIVE TRUST
1100 AZIE MORTON RD #1105
AUSTIN TX 78704

NORTON LEROY JR
4557 MILLBRANCH RD #1
MEMPHIS TN 38116

NORTON LEROY JR
4557 MILLBRANCH RD #1
MEMPHIS TN 38116

NORTON LEROY JR
4557 MILLBRANCH RD #1
MEMPHIS TN 38116

UNITED STORAGE PARTNERS LLC
4901 N ARMENIA AVE
TAMPA FL 33603

GLOBAL PROPERTY TRUST
803 MOUNT MORIAH RD #201
MEMPHIS TN 38117

PREFERRED TRUST CO L L C FBO GAYLE P
2140 E PEBBLES RD #140
LAS VEGAS NV 89123

GLOBAL PROPERTY TRUST
803 MOUNT MORIAH RD #201
MEMPHIS TN 38117

NORTON LEROY JR
4557 MILLBRANCH RD #1
MEMPHIS TN 38116

NORTON LEROY JR
4557 MILLBRANCH RD #1
MEMPHIS TN 38116

DENTIST OFFICE PLLC
4561 MILLBRANCH RD #1
MEMPHIS TN 38116

HEALTH EDUCATION AND HOUSING FACILITY
6075 POPLAR AVE #630
MEMPHIS TN 38119

HEALTH EDUCATIONAL AND HOUSING FACILITY
2650 THOUSAND OAKS BLVD #3100
MEMPHIS TN 38118

INTEGRATED LAND SOLUTIONS, PLLC
9967 BENTWOOD CREEK CV.
COLLIERVILLE TN 38017

YOUNG KIM
4601 HUTTON WAY
MEMPHIS, TN 38116

RANDY CHUMLEY
2471 MT. MORIAH RD.
MEMPHIS, TN 38115

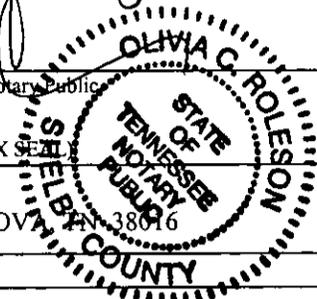


Tom Leatherwood
Shelby County Register

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

 08019121	
02/07/2008 - 03:34 PM	
3 PGS : R - WARRANTY DEED	
MAX 550716-8019121	
VALUE	1949218.50
MORTGAGE TAX	0.00
TRANSFER TAX	7212.11
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	7230.11
TOM LEATHERWOOD REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

WARRANTY DEED	STATE OF TENNESSEE COUNTY OF SHELBY THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$1,949,218.50 Affiant: <i>[Signature]</i> SUBSCRIBED AND SWORN TO BEFORE ME THIS THE <u>7th</u> DAY OF FEBRUARY, 2008. Notary Public: <i>[Signature]</i> My Commission Expires November 20, 2011 (AFFIX SEAL)
----------------------	---



THIS INSTRUMENT WAS PREPARED BY:
 BEATY & ASSOCIATES, P.C., 8130 COUNTRY VILLAGE DRIVE, CORDOVA, TN 38016

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
HENRY HUTTON, LLC <small>(NAME)</small>	HENRY HUTTON, LLC <small>(NAME)</small>	079-041-A00008, 079-041-A00009, 079-041-A00010, 079-041-A00011,
2471 MT. MORIAH RD. <small>(ADDRESS)</small>	2471 MT. MORIAH RD. <small>(ADDRESS)</small>	079-041-A00012, 079-041-A00013, 079-041-A00020, 079-041-A00020L,
MEMPHIS, TN 38115 <small>(CITY) (STATE) (ZIP)</small>	MEMPHIS, TN 38115 <small>(CITY) (STATE) (ZIP)</small>	079-041-A00021, 079-041-A00022, 079-041-A00023, 079-041-A00030, 079-041-A00025

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, cash in hand paid by the hereinafter named grantees, and other good and valuable consideration, the receipt of which is hereby acknowledged, **SOUTHLAND DEVELOPMENT PARTNERS OF MEMPHIS, a Tennessee general partnership composed of Terry A. Lynch, Gail R. Schledwitz, and Robin G. Lynch**, hereinafter called the Grantor, has bargained and sold, and by these presents does hereby bargain, sell, transfer, and convey unto **HENRY HUTTON, LLC, a Tennessee limited liability company**, hereinafter called the Grantee, its successors and assigns, a certain tract or parcel of land in Shelby County, state of Tennessee, described as follows, to-wit:

SEE ATTACHED EXHIBIT A FOR REAL PROPERTY DESCRIPTION

unimproved This is improved property, known as **Vacant Land**

(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantor, its heirs and assigns forever; and Grantor does covenant with the said Grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it and the same is unencumbered, except for all assessments, city taxes due for the tax year 2008, and county taxes due for the tax year 2008, and thereafter, not yet due and payable, all for Parcel Numbers 079-041-A00008, 079-041-A00009, 079-041-A00010, 079-041-A00011, 079-041-A00012, 079-041-A00013, 079-041-A00020, 079-041-A00020L, 079-041-A00021, 079-041-A00022, 079-041-A00023, 079-041-A00030, and 079-041-A00025; subdivision restrictions, building lines and easements of record in Plat Book 60, Page 4, Plat Book 59, Page 6, and at Instrument Number GW 1104; easements of record in Chattel Book 283, Page 286, Book 1620, Page 37, Book 3423, Page 314, Book 3892, Page 223, and at Instrument Number F7 9907; Site Barrier Agreement of record at Instrument Number HA 8858; lease of record at Instrument Number N1 4011; lease and easements of record at Instrument Numbers HM 5111 and 05173639; Notice of Lease of record at Instrument Number EH 7145 assigned at EY 1621; and Declaration of Covenants, Conditions and Restrictions to be recorded simultaneously with deed; all in the Register's Office of Shelby County, Tennessee; and location of billboard signs as shown on survey by W.H. Porter Consultants, PLLC dated May 4, 2007; and it does further covenant and bind itself, its heirs and representatives, to warrant and forever defend the title to the said land to the said Grantee, its heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my hand this 7th day of February, 2008.

SOUTHLAND DEVELOPMENT PARTNERS OF MEMPHIS
 By: *[Signature]*
TERRY A. LYNCH, MANAGING PARTNER

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, of the state and county mentioned, personally appeared TERRY A. LYNCH, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be MANAGING PARTNER of SOUTHLAND DEVELOPMENT PARTNERS OF MEMPHIS, a Tennessee general partnership, the within named bargainer, and that such MANAGING PARTNER executed the foregoing instrument for the purpose therein contained, by personally signing the name of the company as MANAGING PARTNER.

WITNESS, my hand and seal, at office in Memphis, this 7th day of February, 2008.


NOTARY PUBLIC

MY COMMISSION EXPIRES
MARCH 11, 2008

My Commission Expires: _____

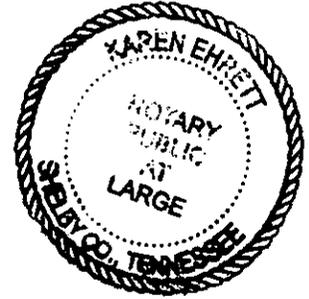


EXHIBIT A

Description of the Lots 8, 9, 10, 11, 12, 13, 19, 20, 21, 22, and the remainders of Lots 7 and 14, and the property underlying Lakebrook Drive and parts of Pinebrook Drive and Riverbrook Drive, SOUTHBROOK OFFICE PARK SUBDIVISION, recorded in Plat Book 59, Page 6, re-recorded in Plat Book 60, Page 4, both recordings in the Shelby County Register's Office, more particularly described as follows:

Commencing at the intersection of the east line of Millbranch (106' ROW) with the north line of Pinebrook Drive (68' ROW); thence South 90°00'00" East, a distance of 412.46 feet to the Point of Beginning; thence continuing along said north line South 90°00'00" East, a distance of 27.54 feet; thence North 00°00'00" East leaving said north line, a distance of 811.34 feet to a point in the south line of Riverbrook Drive (68' ROW); thence along said south line North 90°00'00" West, a distance of 33.83 feet; thence North 00°00'00" East, leaving the south line, a distance of 68.00 feet to a point in the north line of Riverbrook Drive (68' ROW); thence North 90°00'00" West along the north line, a distance of 29.75 feet; thence North 49°35'52" East, leaving said north line, a distance of 92.78 feet; thence North 00°00'00" East, a distance of 545.21 feet; thence North 89°50'00" East, a distance of 852.77 feet to a point in the west line of Interstate 55 (ROW varies); thence along the west line of Interstate 55 the following courses: South 00°15'00" West, 1420.89 feet; South 23°45'00" West, 192.91 feet; South 45°29'00" West, 276.22 feet; and South 65°10'00" West, 265.23 feet to the north line of Shelby Drive (ROW varies); thence South 89°05'00" West along said north line a distance of 320.38 feet; thence North 00°00'00" East leaving said north line, a distance of 352.46 feet to a point in the south line of Pinebrook Drive (68' ROW); thence North 90°00'00" West along said south line, a distance of 45.47 feet; thence North 00°00'00" West, a distance of 68.00 feet to the Point of Beginning.

Containing 35.330 acres, more or less.

Description is taken from the survey prepared by W.H. Porter Consultants, PLLC dated May 4, 2007.

Being the same property conveyed to SOUTHLAND DEVELOPMENT PARTNERS OF MEMPHIS, a Tennessee general partnership by Clerk and Master's Deed recorded as Instrument Number 06203296 in the Register's Office of Shelby County, Tennessee.



Tom Leatherwood

Shelby County Register

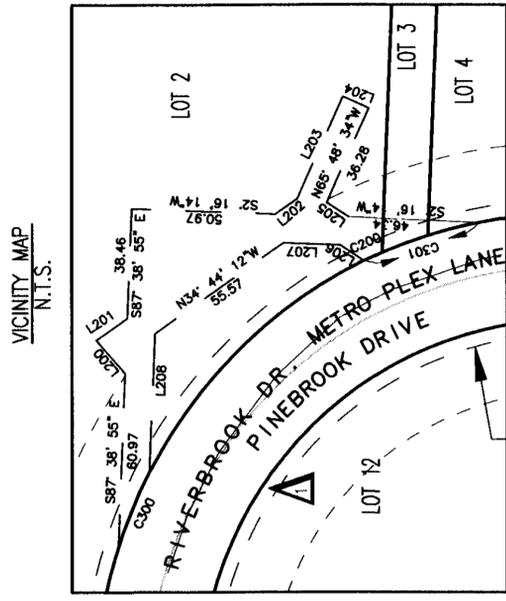
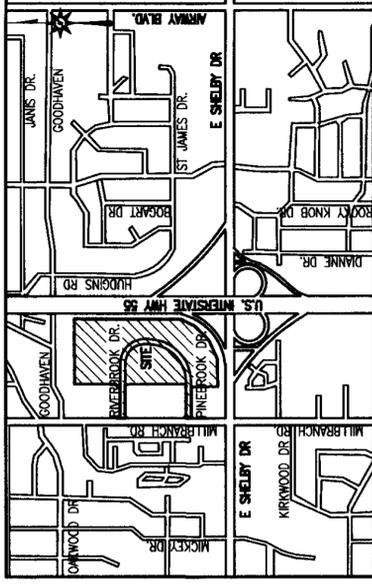
As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.

	
10009105	
01/28/2010 - 03:39 PM	
4 PGS	
BUDDY 716769-10009105	
PLAT BOOK : 244	
PAGE : 30	
RECORDING FEE	15.00
DP FEE	2.00
TOTAL AMOUNT	17.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

GEODETIC NORTH
BEARINGS SHOWN ARE RELATIVE
TO EACH OTHER ONLY.



THIS PLAT IS BEING RE-RECORDED TO RENAME STREETS
TO PINEBROOK DRIVE (NORTH AND SOUTH) AND TO ADD
THE AREA OF PINEBROOK DRIVE TO MILLBRANCH ROAD &
ADD INTEGRATED CENTER SIGN (ADD SHEETS 3, 4 & 5)
GRAPHIC SCALE 1" = 100'



INTERSTATE HIGHWAY NO. 55

1. THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD AREA AS INDICATED BY FEMA PANEL NUMBER 470177 0420 F, DATED 28 SEPT. 2007. 100 YEAR FLOOD ELEVATION = 282.00
2. PUBLIC ROADS PINEBROOK DR. & RIVERBROOK DR. ARE CLOSED PER SAC #07-601 & REPLACED WITH A 68' INGRESS/EGRESS EASEMENT.
3. LOT CURVE/LINE DATA, EASEMENT CURVE/LINE DATA, & CENTERLINE CURVE DATA ARE LOCATED ON SHEET 2 OF 2.
4. A PROPERTY OWNERS ASSOCIATION, INSTRUMENT # 08024070, SHALL BE ESTABLISHED. THE PROPERTY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PRIVATE DRIVES, DETENTION PONDS, COMMON AREAS, AND FACILITIES. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SUCH AREAS UNTIL THE PROPERTY OWNERS ASSOCIATION INSTRUMENT NUMBER IS RECORDED. THIS PLAT SHALL BE RE-RECORDED TO REFLECT THE REGISTERED INSTRUMENT NUMBER OF THE PROPERTY OWNERS ASSOCIATION.
5. EXISTING EASEMENTS PER SOUTHBROOK OFFICE PARK FINAL PLAT (PLAT BOOK 60 PG. 4) AROUND LANEBROOK DRIVE AND LOT LINES SHALL BE ABANDONED BY A SEPARATE INSTRUMENT NUMBER PRIOR TO THE RECORDING OF THE FINAL PLAT.
6. LANDSCAPE PLATE "A-2", "A-3", OR "A-51" OR EQUIVALENT ALTERNATIVE SHALL BE EMPLOYED DEPENDING ON THE PARKING ORIENTATION OF EACH PARCEL DEVELOPMENT. LANDSCAPING SHALL NOT BE PLACED ON SEWER OR DRAINAGE EASEMENTS. SEE LANDSCAPE PLATE DETAILS ON SHEET 2 OF 2.
7. STREET NAME "LANEBROOK DRIVE" AS INDICATED IN PLAT BOOK 60, PAGE 4, SHALL CHANGE TO METRO PLEX LANE. METRO PLEX LANE SHALL BEGIN AT THE INTERSECTION ALONG THE CURVE OF PINEBROOK DRIVE AND SHALL END AT THE INTERSECTION ALONG THE CURVE OF RIVERBROOK DRIVE AS INDICATED.
8. Please be advised that a building permit issued by the Memphis/Shelby County Office of Construction Code Enforcement does not allow for alterations and/or improvements to any Right-of-Way (R.O.W.) maintained by the City of Memphis. Alterations and/or improvements to City of Memphis R.O.W. include but are not limited to work performed on sidewalks, curb and gutter, driveway aprons and utility tie-ins. R.O.W. permits must be obtained from the Memphis City Engineer's Office at ph. 970-8700.
9. THIS PLAT DEMONSTRATES COMPLIANCE WITH THE TREE ORDINANCE.

FINAL PLAT

HUTTON SUBDIVISION
FORMER SOUTHBROOK OFFICE PARK
AS RECORDED IN PLAT BOOK 60, PAGE 4

MEMPHIS, TENNESSEE

CASE # S 07-07

DEVELOPER	HENRY HUTTON 2471 MT. MORIAH MEMPHIS, TN 38115	REGISTERED PROFESSIONAL ENGINEER	TOM LEATHERWOOD 1700 1.00 15.00
ENGINEER / SURVEYOR	DAVIS ENGINEERING CO. INC. 6625 LENOX PARK, SUITE 117 MEMPHIS, TN 38115	REGISTERED PROFESSIONAL ENGINEER	TOM LEATHERWOOD 1700 1.00 15.00
13 LOTS	36.33 +/- TOTAL ACRES	REGISTERED PROFESSIONAL ENGINEER	TOM LEATHERWOOD 1700 1.00 15.00
100 YEAR FLOOD ELEVATION	470177 0420 F	REGISTERED PROFESSIONAL ENGINEER	TOM LEATHERWOOD 1700 1.00 15.00
FEMA COMMUNITY PANEL NUMBER	(901) 365-9700	REGISTERED PROFESSIONAL ENGINEER	TOM LEATHERWOOD 1700 1.00 15.00
FEMA MAP DATE	28 SEPTEMBER 2007	REGISTERED PROFESSIONAL ENGINEER	TOM LEATHERWOOD 1700 1.00 15.00
SCALE: 1 IN. = 100 FT.		REGISTERED PROFESSIONAL ENGINEER	TOM LEATHERWOOD 1700 1.00 15.00
SHEET 1 OF 4		REGISTERED PROFESSIONAL ENGINEER	TOM LEATHERWOOD 1700 1.00 15.00

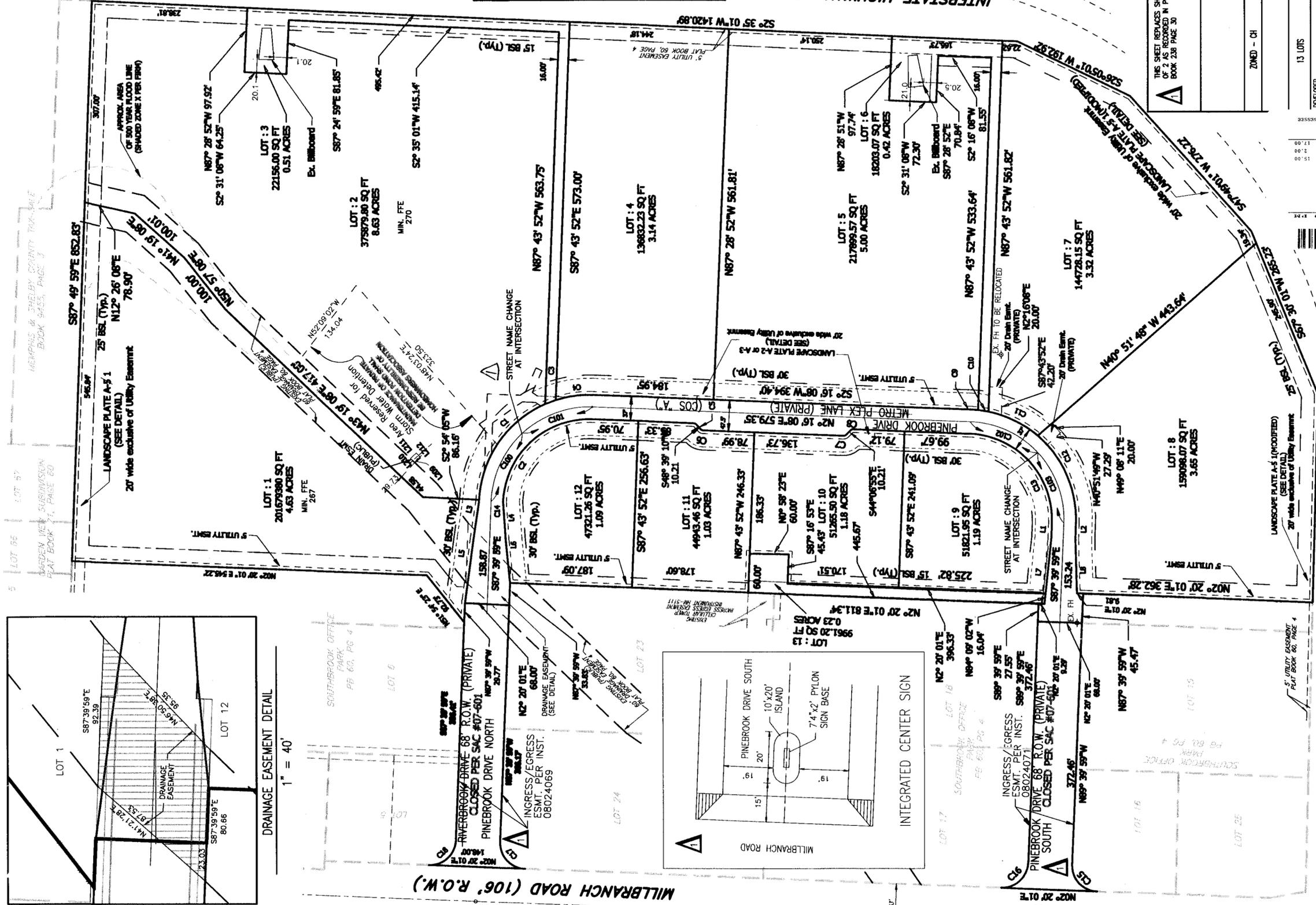


PLAT BOOK : 244
PAGE : 30

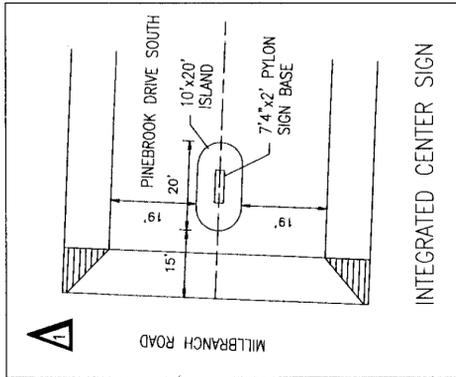
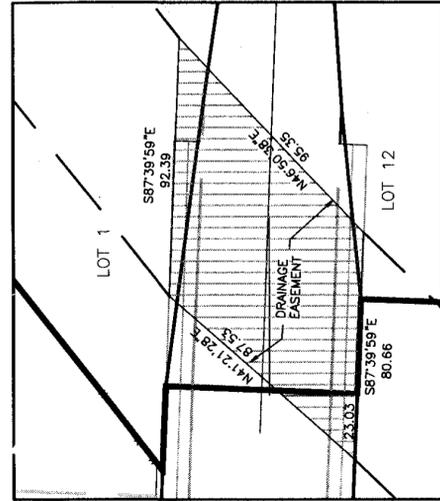
REGISTERED PROFESSIONAL ENGINEER
TOM LEATHERWOOD

C#	Radius	Length	Delta	Tangent	Chord	Chord Bearing
C15	40.00	62.83	90°00'00"	40.00	56.57	S47°20'01"W
C16	40.00	62.83	90°00'00"	40.00	56.57	S47°20'01"E
C17	40.00	62.83	90°00'00"	40.00	56.57	S47°20'01"W
C18	40.00	62.83	90°00'00"	40.00	56.57	S47°20'01"E

SHELBY DRIVE EAST



DRAINAGE EASEMENT DETAIL



OWNER'S CERTIFICATE

I (WE), HENRY HUTTON, THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS MY (OUR) PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHTS-OF-WAY, AND GRANT EASEMENTS AS SHOWN AND/OR DESCRIBED TO THE PUBLIC USE FOREVER. I (WE) CERTIFY THAT I (WE) AM (ARE) THE OWNER(S) OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES OR MORTGAGES WHICH HAVE BECOME DUE AND PAYABLE.

SIGNATURE [Signature] TITLE PRESIDENT

NOTARY'S CERTIFICATE

STATE OF TENNESSEE
COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID STATE AND COUNTY AFORESAID, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED Henry Hutton, WITH WHOM I AM PERSONALLY ACQUAINTED AND WHO, UPON OATH, ACKNOWLEDGE HIMSELF (HERSELF) TO BE PRESIDENT & CHIEF MANAGER OF THE HENRY HUTTON, LLC, THE WITHIN NAMED BARGAINER, AND THAT HE (SHE) EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN MEMPHIS, THIS 17th DAY OF November, 2009

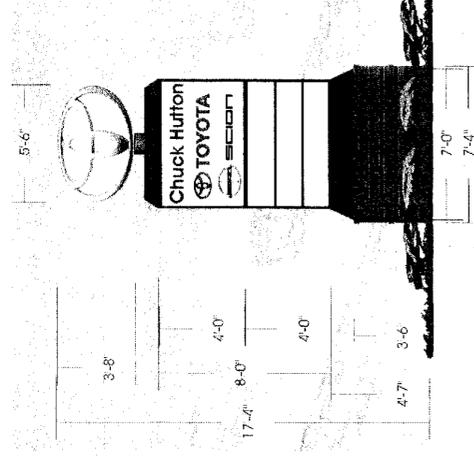
NOTARY PUBLIC [Signature] Kevin Lawrence
MY COMMISSION EXPIRES 01-20-11



CERTIFICATE OF SURVEY

IT IS HEREBY CERTIFIED THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED TRAVERSE IS 1: 10,000 OR GREATER; THAT THIS PLAT HAS BEEN PREPARED BY ME OR UNDER MY INDIVIDUAL SUPERVISION AND CONFORMS WITH APPLICABLE STATE LAWS AND LOCAL ZONING ORDINANCES, SUBDIVISION REGULATIONS AND THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT RELATING TO THE PRACTICE OF SURVEYING.

BY BYRON L. HARRIS, JR.
TENNESSEE CERTIFICATE NO. 1303



PROPOSED INTEGRATED SIGN
(ELEVATION VIEW)
(PER SIGN ORDINANCE)



OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE

THIS PLAT IS BEING RE-RECORDED TO DESIGNATE RIVERBROOK DRIVE AND PINEBROOK DRIVE (SAC 07-601) AS PRIVATE DRIVES, TO INCORPORATE THE CLOSED RIGHT-OF-WAYS WITHIN THE BOUNDARIES OF THE SUBDIVISION, TO CHANGE THE NAMES OF RIVERBROOK DRIVE TO PINEBROOK DRIVE NORTH, METRO PLEX LANE TO PINEBROOK DRIVE, AND PINEBROOK DRIVE TO PINEBROOK DRIVE SOUTH, TO ADD SHEETS 3 AND 4, AND TO SHOW THE LOCATION OF A NEW INTEGRATED CENTER SIGN WITHIN AN ISLAND AT THE ENTRANCE TO PINEBROOK DRIVE SOUTH.

BY Clayton D. Baker DATE 1/25/10
DIRECTOR OF PLANNING AND DEVELOPMENT
OPD: SM DATE: 1-25-10
CITY ENGINEER: ND DATE: 1/25/10
ML&W: _____ DATE: _____



FINAL PLAT

HUTTON SUBDIVISION
FORMER SOUTHERBROOK OFFICE PARK
AS RECORDED IN PLAT BOOK 60 PAGE 4

CASE # S 07-027

MEMPHIS, TENNESSEE

36.64 +/- TOTAL ACRES

ENGINEER / SURVEYOR

DAVIS ENGINEERING CO. INC
6625 LENOX PARK, SUITE 117
MEMPHIS, TN 38115 (901) 767-1185

FEMA MAP DATE

28 SEPTEMBER 2007

SCALE: 1 IN. = 100 FT.

17 NOVEMBER 2009

SHEET 2 OF 4

07129c

NOTES:
1. THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD AREA AS INDICATED BY FEMA PANEL NUMBER 470177 0420 F, DATED 28 SEPT. 2007. 100 YEAR FLOOD ELEVATION = 262.00

2. PUBLIC ROADS PINEBROOK DR. & RIVERBROOK DR. ARE CLOSED PER SAC #07-601 & REPLACED WITH A 68" INGRESS/EGRESS EASEMENT.

3. A PROPERTY OWNERS ASSOCIATION, INSTRUMENT NO. #08024070 IS ESTABLISHED. THE PROPERTY OWNERS ASSOCIATION SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF ALL PRIVATE DRIVES, DETENTION POND, COMMON OPEN SPACES, PRIVATE DRAINAGE AND THE PRIVATE SANITARY SEWER.



01/28/2010 03:39 PM

10009105

BUDDY 716789-10009105

PLAT BOOK : 244

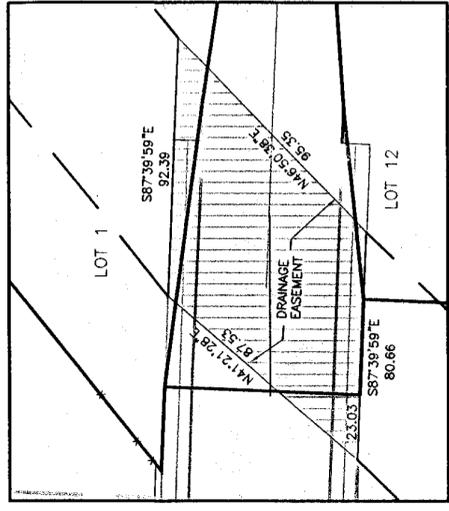
PAGE : 30

RECORDING FEE 15.00

DP FEE 2.00

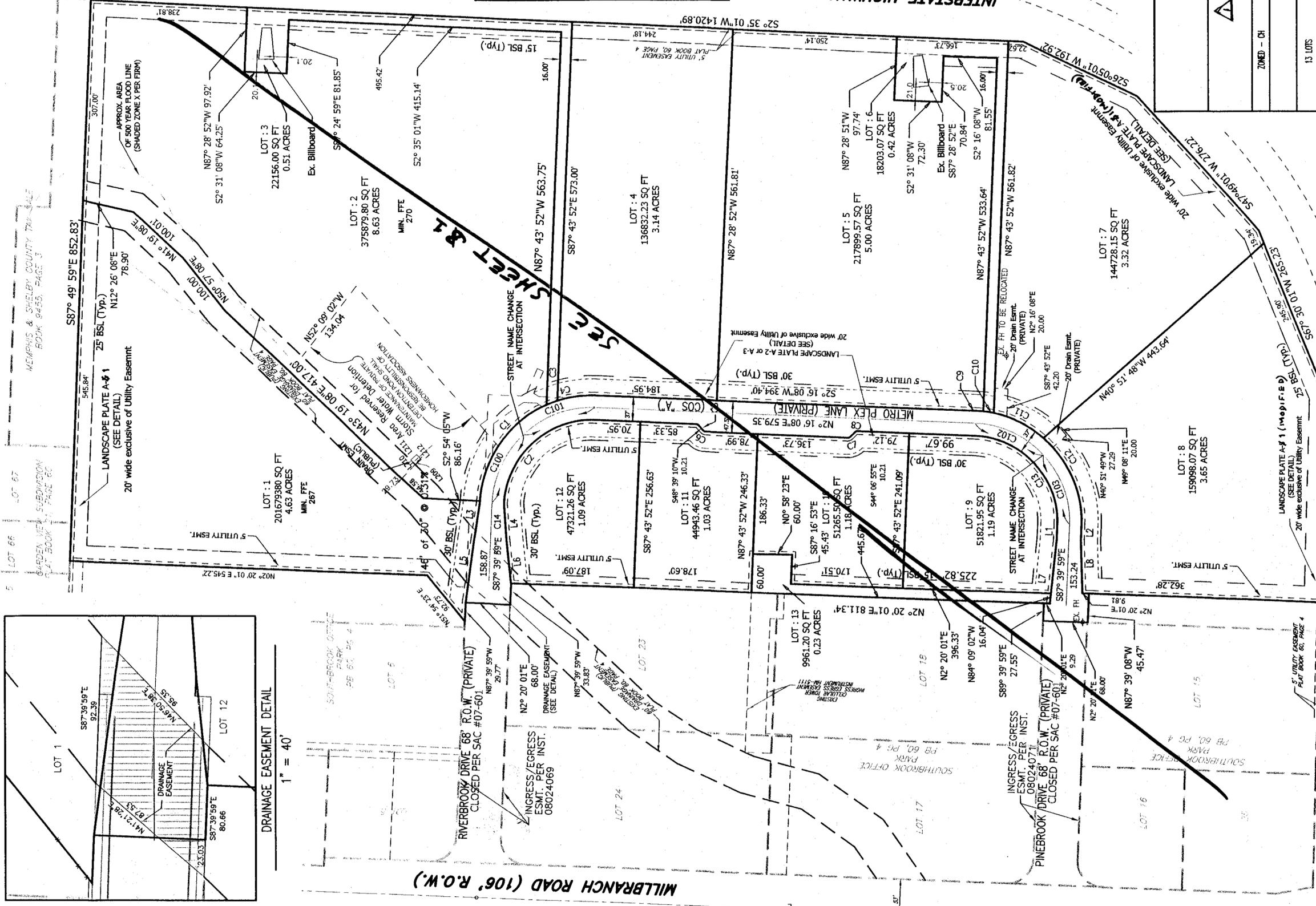
TOTAL AMOUNT 17.00

TOM LEATHERWOOD
REGISTERED PROFESSIONAL SURVEYOR, TENNESSEE



1" = 40'

DRAINAGE EASEMENT DETAIL



MEMPHIS & SHELBY COUNTY TRAILS BOOK 9455, PAGE 3

BARDEEN VILLAGE SUBDIVISION PLAT BOOK 9455, PAGE 60

LOT 66 LOT 67

LOT 16 LOT 17

LOT 18 LOT 19

LOT 20 LOT 21

LOT 22 LOT 23

LOT 24 LOT 25

LOT 26 LOT 27

LOT 28 LOT 29

LOT 30 LOT 31

LOT 32 LOT 33

LOT 34 LOT 35

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LOT 502 LOT 503

LOT 504 LOT 505

LOT 506 LOT 507

ENGINEER'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT, IS IN CONFORMANCE WITH THE DESIGN AND REQUIREMENTS OF THE ZONING ORDINANCE, THE SUBDIVISION REGULATIONS AND THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT AND TAKES INTO ACCOUNT ALL APPLICABLE FEDERAL, STATE AND LOCAL BUILDING LAWS AND REGULATIONS.

BY MICHAEL L. RAY
 TENNESSEE CERTIFICATE NO. 1065129



CERTIFICATE OF SURVEY
 IT IS HEREBY CERTIFIED THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED TRAVERSE IS 1: 10,000 OR GREATER. THAT THIS PLAT HAS BEEN PREPARED BY ME OR UNDER MY INDIVIDUAL SUPERVISION AND CONFORMS WITH APPLICABLE STATE LAWS AND LOCAL ZONING ORDINANCES, SUBDIVISION REGULATIONS AND THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT RELATING TO THE PRACTICE OF SURVEYING.

BY Joe S. Wiseman
 TENNESSEE CERTIFICATE NO. 1932

Joe S. Wiseman
 1/22/08

OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE

THIS PLAT WAS APPROVED BY THE MEMPHIS CITY COUNCIL ON AND THE MEMPHIS & SHELBY COUNTY LAND USE CONTROL BOARD ON AND/OR THE SHELBY COUNTY BOARD OF COMMISSIONERS ON

BY _____ DATE _____
 DIRECTOR OF PLANNING AND DEVELOPMENT
 CITY ENGINEER _____ COUNTY ENGINEER N/A OPD
 DATE N/A DATE _____

OWNER(S) OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS MY (OUR) PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHTS-OF-WAY, AND GRANT EASEMENTS AS SHOWN AND/OR DESCRIBED TO THE PUBLIC USE FOREVER. I (WE) CERTIFY THAT I (WE) AM (ARE) THE OWNER(S) OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCLUMBERED BY ANY TAXES OR MORTGAGES WHICH HAVE BECOME DUE AND PAYABLE.

SIGNATURE [Signature] TITLE Managing Partner

NOTARY'S CERTIFICATE
 STATE OF TENNESSEE
 COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID STATE AND COUNTY AFORESAID, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED Steve Knieff WITH WHOM I AM

PERSONALLY ACQUAINTED AND WHO, UPON OATH, ACKNOWLEDGE HIMSELF (HERSELF) TO BE Managing Partner OF THE Southland Development Partners WITHIN NAMED BARGAINER, AND THAT HE (SHE) EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFTKED MY NOTARIAL SEAL AT MY OFFICE IN MEMPHIS, THIS 20th DAY OF September 2008

NOTARY PUBLIC Steve Knieff
 MY COMMISSION EXPIRES 11-20-2011



MORTGAGEE'S CERTIFICATE
 WE Community Bank, NA THE UNDERSIGNED MORTGAGEE OF THE PROPERTY SHOWN HEREON, HEREBY CONSENT AND AGREE TO THE PLAN OF DEVELOPMENT AS SUBMITTED BY Steve Knieff OWNER(S) OF THE PROPERTY.

SIGNATURE/TITLE [Signature] Steve Knieff Managing Partner

NOTARY'S CERTIFICATE
 STATE OF TENNESSEE
 COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID STATE AND COUNTY AFORESAID, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED John Stewart WITH WHOM I AM PERSONALLY ACQUAINTED AND WHO, UPON OATH, ACKNOWLEDGE HIMSELF (HERSELF) TO BE Owner OF THE Southland Development Partners WITHIN NAMED BARGAINER, AND THAT HE (SHE) EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED. IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFTKED MY NOTARIAL SEAL AT MY OFFICE IN MEMPHIS, THIS 20th DAY OF September 2008

NOTARY PUBLIC John Stewart
 MY COMMISSION EXPIRES 11-20-2011

Drainage & Utility Esm't. Curve Table

Curve #	Radius	Length	Delta	Tangent	Chord	Chord Bearing
C300	168.50	28.67	9° 44' 52"	14.37	28.63	N67° 12' 25"W
C301	168.50	36.25	12° 19' 33"	18.19	36.18	N17° 09' 15"W

Drainage & Utility Esm't. The Down Curve Table

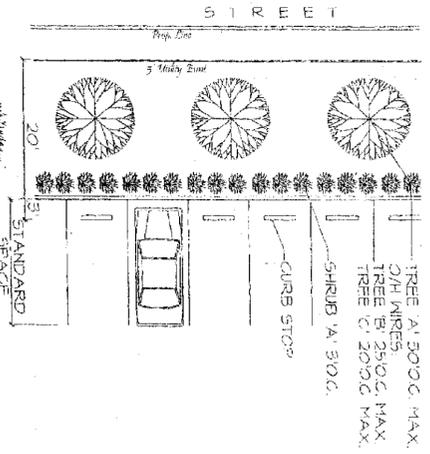
Curve #	Radius	Length	Delta	Tangent	Chord	Chord Bearing
C200	168.50	7.08	2° 24' 26"	3.54	7.08	S24° 31' 14"E

Drainage & Utility Esm't. Line Table

Line #	Length	Direction
L200	15.38	N48° 03' 24"E
L201	13.47	S34° 44' 12"E
L202	9.65	S34° 44' 12"E
L203	39.25	S65° 48' 34"E
L204	10.00	S24° 11' 26"W

Drainage & Utility Esm't. Line Table

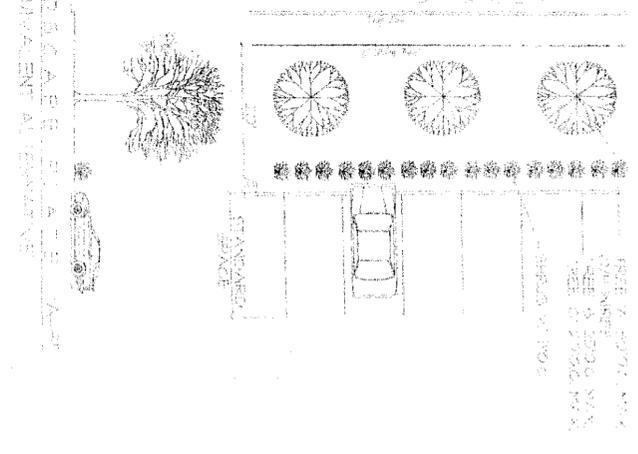
Line #	Length	Direction
L205	9.37	S33° 18' 32"W
L206	10.13	N33° 18' 32"E
L207	20.00	N2° 16' 14"E
L208	48.29	N87° 38' 55"W
L209	11.43	N41° 27' 39"W
L210	10.04	N43° 23' 01"E
L211	12.33	S41° 27' 39"E
L212	10.00	S48° 32' 21"W



LANDSCAPE PLATE "A-2"
 EQUIVALENT ALTERNATIVE

Let Line Table

Line #	Length	Direction
11	24.20	S87° 43' 52"E
12	24.20	S87° 43' 52"E
13	57.54	N81° 30' 33"W
14	58.81	S81° 16' 08"W
15	109.09	S82° 25' 25"E
16	67.21	N84° 23' 28"E
17	85.66	N84° 09' 02"W
18	83.78	N85° 27' 21"E

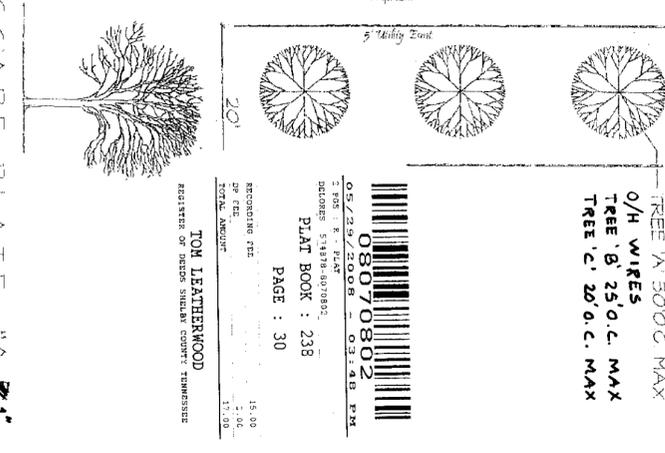


OFFICE OF PLANNING & DEVELOPMENT CERTIFICATE
 THIS PRELIMINARY PLAN WAS ACTED ON BY THE LUCB ON SEP 13, 2007 AND APPROVED BY THE MEMPHIS GF CITY COUNCIL ON FEB. 19, 2008.

John Stewart
 City Engineer
 Date: 2/11/08
 Approved by: *[Signature]*
 Director of Planning & Development

- L.U.C.B. CONDITIONS:
- THE CITY ENGINEER SHALL APPROVE THE DESIGN, NUMBER & LOCATION OF CURB CUTS.
 - ANY EXISTING NONCONFORMING CURB CUTS SHALL BE MODIFIED TO MEET CURRENT CITY STANDARDS OR CLOSE WITH CURB, GUTTER AND SIDEWALK.
 - THE DEVELOPER SHALL RECONSTRUCT BOTH PRIVATE DRIVE CONNECTIONS AT MILLBRANCH ROAD TO MEET CURRENT CITY STANDARDS.
 - EASEMENTS FOR SANITARY SEWERS, DRAINAGE AND OTHER REQUIRED SERVICES AS INDICATED ON THE FINAL RECORDED SAID PLAT AND UTILIZED WITHIN PRIVATE DRIVES. THE CITY SHALL NOT BE RESPONSIBLE FOR SHEET PILING WITHIN THE PRIVATE DRIVES, EVEN THOUGH THE PAVEMENT AND BASE MAY HAVE TO BE REMOVED TO WORK ON SEWERS OR DRAINAGE. THE RESPONSIBILITY OF REPAIRING THE PRIVATE DRIVES SHALL BE THAT OF THE OWNERS AND/OR PROPERTY OWNERS ASSOCIATION.
 - THE APPLICANT SHALL PROVIDE A LANDSCAPE PLATE "A-1" OR "A-2" OR "A-3" WILL BE REQUIRED ALONG THE FRONTS OF SHELBY DRIVE, INTERSTATE 55 AND METRO PLEX LINE (DEPENDING ON PARKING ORIENTATION) OR AN EQUIVALENT ALTERNATIVE APPROVED BY THE OFFICE OF PLANNING AND DEVELOPMENT. IN ADDITION, COMPLIANCE WITH THE TREE ORDINANCE IS REQUIRED.
 - ACCESS TO SHELBY DRIVE VIA PRIVATE DRIVE OR DRIVEWAY IS PROHIBITED. CONVEY RIGHT OF ACCESS OF CITY OF MEMPHIS.
 - A PROPERTY OWNERS ASSOCIATION SHALL BE ESTABLISHED FOR THE COMMON OWNERSHIP AND MAINTENANCE OF THE PRIVATE DRIVE PRIOR TO CONCURRENT WITH THE RECORDING OF THE FINAL PLAT.

100009105
 4 POS
 BUDDY 716769-10009105
 PLAT BOOK : 244
 PAGE : 30
 RECORDING FEE 15.00
 DP FEE 2.00
 TOTAL AMOUNT 17.00
 TOM LEATHERWOOD
 REGISTER OF DEEDS SHELBY COUNTY TENNESSEE



08070802
 05/29/2008 - 03:48 PM
 3 POS - 8 - PLAN
 RECORDS SYSTEM
 PLAT BOOK : 238
 PAGE : 30
 RECORDING FEE 15.00
 DP FEE 2.00
 TOTAL AMOUNT 17.00
 TOM LEATHERWOOD
 REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

FINAL PLAT
 HUTTON SUBDIVISION
 FORMER SOUTHBROOK OFFICE PARK
 AS RECORDED IN PLAT BOOK 60 PAGE 4
 MEMPHIS, TENNESSEE
 ZONED - CH
 13 LOTS
 35.61 +/- TOTAL ACRES
 CASE # S 07-027

DEVELOPER: HENRY HUTTON
 2471 MT. MORIAH
 MEMPHIS, TN 38115
 ENGINEER / SURVEYOR: DAVIS ENGINEERING CO., INC.
 6625 LENOX PARK, SUITE 117
 MEMPHIS, TN 38115
 PLAT COMMUNITY PANEL NUMBER: 470177 0420 F
 FINAL MAP DATE: 28 SEPTEMBER 2007
 SCALE: 1 IN. = 100 FT.
 SHEET 4 OF 4
 07120c

**MEMPHIS AND
SHELBY COUNTY**  **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

September 9, 2022

Hutton Toyota
4601 Hutton Way
Memphis, TN 38116

Sent via electronic mail to: ykim@chuckhutton.com

CDKIM Campus Planned Development
Case Number: PD 22-18
LUCB Recommendation: Approval with outline plan conditions

Dear applicant,

On Thursday, September 8, 2022, the Memphis and Shelby County Land Use Control Board recommended **approval** of your planned development application CDKIM Campus Planned Development, subject to the attached outline plan conditions.

This application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at Seth.Thomas@memphistn.gov.

Respectfully,



Seth Thomas

Letter to Applicant
PD 22-18

Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Cory Brady, Integrated Land Solutions, PLLC
File

Letter to Applicant

PD 22-18

Outline Plan Conditions

I. INTENT

The intent of this planned development is to regulate the sequential development of an automotive dealership campus having multiple dealerships and their accessory uses and/or structures distributed among the 36.64-acre property.

II. USES PERMITTED

A. Vehicle Sales, Rental, or Leasing (Excluding Tractor Trailers, Heavy Trucks, Manufactured Housing); Vehicle Service; Vehicle Repair, Minor Utilities, CMCS Towers and facilities, Solar Farm, Permanent Off-Premise Advertising Sign (See VI.B.), Commercial Parking.

B. Accessory Uses shall be permitted in accordance with Chapter 2.9 of the Unified Development Code.

C. Principal and/or Accessory uses shall be permitted upon any lot or portion of any lot established by the Hutton Subdivision (PB 244 PG 30)

II. BULK REGULATIONS

A. The Building Envelope Standards for Nonresidential CMU-3 District Section 3.10.B of the Unified Development Code shall apply. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions apply.

B. Building Setbacks:

1. Front:

- a. Interstate 55: 25-feet
- b. Shelby Drive East: 25-feet
- c. Metro Plex Lane: 30-feet

2. Perimeter Side/Rear:

- a. Lot 1 and Lot 2: 25-feet
- b. Lot 7 and Lot 8: 25-feet
- c. Lots 9-12: 15-feet

3. Interior Side: 5-feet

Letter to Applicant
PD 22-18

III. ACCESS, PARKING AND CIRCULATION

- A. Riverbrook Drive (private, existing), Pinebrook Drive (private, existing), and Metro Plex Lane (private, existing) shall be owned and maintained by the property owner or a property owner's association.
- B. Access to Southbrook Office Park (PB 60 PG 4) shall be conveyed via Ingress/Egress Easement per instrument # 08024069.
- C. All Internal drives shall be private, owned and maintained by the property owner or a property owners association.
- D. Access to Shelby Drive or Interstate 55 is prohibited.
- E. The design and location of curb cuts to be approved by the City Engineer.
- F. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader, etc.
- G. Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or tract.
- H. Off Street Parking:
 - 1. Shared parking shall be allowed for all permitted uses.
 - 2. Off street parking spaces shall conform Chapter 4.5 of the Unified Development Code.
- I. The existing billboard on lots 6 and 3 are permitted to have accessory uses as shown on the concept plan.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Sub-Section 4.5.5(D) and Chapter 4.6 of the Unified Development Code shall apply as modified.

Letter to Applicant
PD 22-18

- B. LS Plate A-1 Modified, A-2, or A-3 (or equivalent) shall be required along the frontages of Shelby Drive, Interstate 55 and Metro Plex Lane.
- C. LS Plate A-1 Modified or equivalent shall be required along the north boundary of the property.
- D. Dumpsters and similar kinds of trash containers shall be full enclosed by opaque walls, at least eight 8-feet in height with self-closing access doors and shall be constructed of materials and methods similar to that of the building.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.

VI. SIGNS

- A. Signs shall be permitted in accordance Chapter 4.9 of the Unified Development Code as modified.
- B. No more than two (2) Permanent Off-Premise Signs shall be permitted. Permanent Off-Premise signs shall be regulated in accordance with Section 4.9.8 of the Unified Development Code and as follows.
- C. Two (2) Integrated Center Signs shall be permitted. One at the intersection of Pinebrook Drive North and one Pinebrook Drive South.
- D. All signage shall be shown on the final plat and be subject to administrative review and approval by the Division of Planning and Development. Note identifying dimensional signage areas rather than specific branding is acceptable.

VII. DRAINAGE

- A. All drainage plans shall be submitted to the City Engineer for review and approval.

Letter to Applicant

PD 22-18

- B. The developer is required under 40CFR 122.26(b)(14) and TCA 69-3-101 et. Seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

VIII. MISCELLANEOUS

- A. The Land Use Control Board may modify the building and parking placement, building elements streetscapes and landscaping, site development standards, signs, outdoor site lighting and public improvements if equivalent alternatives are presented. Any adjacent property owner who is dissatisfied with the modifications approve by the Land Use Control Board may within ten (10) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.

- B. All common areas shall be owned and maintained by the property owners association recorded in the Shelby County Register Office.

VIII. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.

- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2) of the Unified Development Code. An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16 of the Unified Development Code.

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 09/27/2022

DATE

PUBLIC SESSION: 09/27/2022

DATE

ITEM (CHECK ONE)

_____ ORDINANCE RESOLUTION _____ REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution approving the closure of the public right-of-way of an east-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St. known as case SAC 2022-002.

CASE NUMBER: SAC 2022-002

LOCATION: Between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.

COUNCIL DISTRICTS: District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Townsend Development

REPRESENTATIVES: Cindy Reaves, SR Consulting, LLC

REQUEST: Close and vacate the public right-of-way of an east-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.

AREA: +/-1,317 sq. ft.

RECOMMENDATION: The Division of Planning and Development recommended *Approval with conditions*
The Land Use Control Board recommended *Approval with conditions*

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
05/12/2022	DATE
(1) Land Use Control Board	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____	OPERATING BUDGET
\$ _____	CIP PROJECT # _____
\$ _____	FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____ <i>Lucas Skimmer</i> _____	_____ <i>09/19/2022</i> _____	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SAC 2022-002

RESOLUTION APPROVING RESOLUTION APPROVING THE CLOSURE OF THE PUBLIC RIGHT-OF-WAY OF AN EAST-WEST PUBLIC ALLEY LOCATED BETWEEN N. FOURTH ST AND COURT AVE AND TERMINATES 89± SQ. FT. EAST OF N. FOURTH ST. KNOWN AS CASE SAC 2022-002.

- This item is a resolution with conditions to allow the above; and
- This item may require a new public improvement contract.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, May 12, 2022**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SAC 2022-002
LOCATION:	East-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.
COUNCIL DISTRICT(S):	District 6, Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Townsend Development
REPRESENTATIVE:	Cindy Reaves, SR Consulting, LLC
REQUEST:	Right-of-way vacation
EXISTING ZONING:	Central Business District
AREA:	1,317 Sq. Ft.

The following spoke in support of the application: None

The following spoke in opposition of the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions of the application.

The motion passed by a unanimous vote of 10-0 on the consent agenda.

Respectfully,



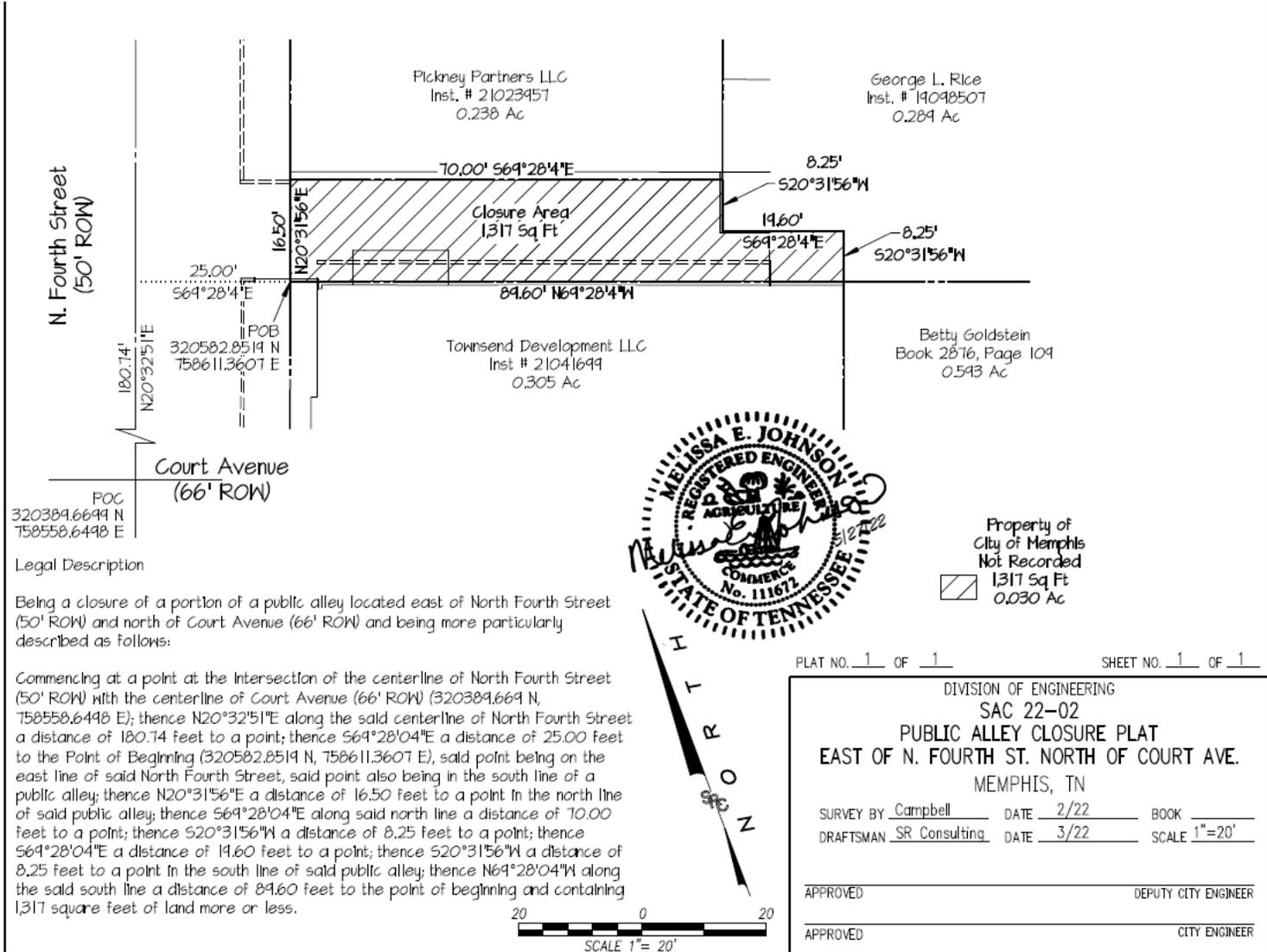
Lucas Skinner
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SAC 2022-02
CONDITIONS

1. Provide easements for any existing utilities or relocate at the developer's expense.
2. Submit a closure plat subject to review and approval by City Engineering.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.

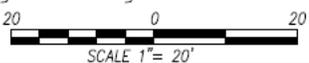
CLOSURE PLAT



Property of
City of Memphis
Not Recorded
1,317 Sq Ft
0.030 Ac

Legal Description
Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW) (320389.669 N, 758558.6448 E); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence 569°28'04"E a distance of 25.00 feet to the Point of Beginning (320582.8519 N, 758611.3607 E), said point being on the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence 569°28'04"E along said north line a distance of 10.00 feet to a point; thence 520°31'56"W a distance of 8.25 feet to a point; thence 569°28'04"E a distance of 14.60 feet to a point; thence 520°31'56"W a distance of 8.25 feet to a point in the south line of said public alley; thence N69°28'04"W along the said south line a distance of 89.60 feet to the point of beginning and containing 1,317 square feet of land more or less.



PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

DIVISION OF ENGINEERING
SAC 22-02
PUBLIC ALLEY CLOSURE PLAT
EAST OF N. FOURTH ST. NORTH OF COURT AVE.
MEMPHIS, TN

SURVEY BY Campbell DATE 2/22 BOOK _____
DRAFTSMAN SR Consulting DATE 3/22 SCALE 1"=20'

APPROVED _____ DEPUTY CITY ENGINEER
APPROVED _____ CITY ENGINEER



RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF AN EAST-WEST PUBLIC ALLEY LOCATED APPROXIMATELY 148.5 FEET NORTH OF THE INTERSECTION OF THE NORTH LINE OF COURT AVENUE WITH THE EAST LINE OF NORTH FOURTH STREET, KNOWN AS CASE NUMBER SAC 22-002

WHEREAS, the City of Memphis is the owner of real property known as the east-west public alley right-of-way east of Fourth Street, south of Jefferson, and north of Court Avenue in Memphis, Tennessee and being more particularly described as follows:

Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence S69°28'04"E a distance of 25.00 feet to a point in the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence S69°28'04"E along said north line a distance of 70.00 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point; thence S69°28'04"E a distance of 19.60 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point in the south line of said public alley; thence N69°28'04"W along the said south line a distance of 89.60 feet to the point of beginning and containing 1,317 square feet of land more or less.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

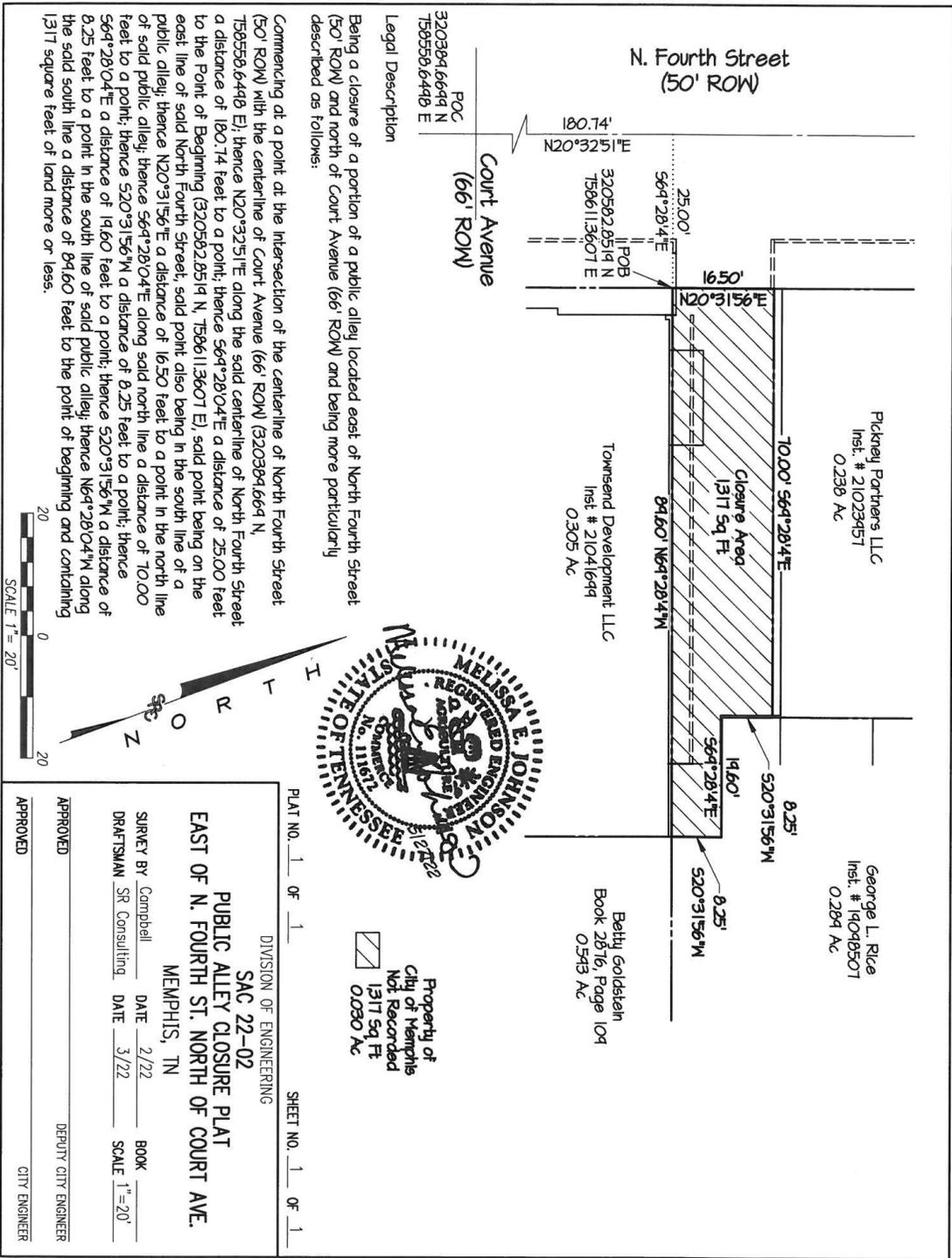
WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on May 12, 2022, and said Board has submitted its findings and recommendation to the Council of the City of Memphis subject to the following conditions:

1. Provide easements for any existing utilities or relocate at the developer's expense.
2. Submit a closure plat subject to review and approval by City Engineering.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above-described public right-of-way be and is hereby closed for public use, subject to the aforementioned conditions.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deed(s) to the owners of the properties abutting on the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company and the Shelby County Property Assessor's Office.



320389.6649 N
759558.6448 E
POC
Court Avenue
(66' ROW)

N. Fourth Street
(50' ROW)

Pickney Partners LLC
Inst. # 21023451
0.238 Ac

Townsend Development LLC
Inst # 21041649
0.305 Ac

George L. Rice
Inst. # 14048507
0.284 Ac

Bethu Goldstein
Book 2876, Page 104
0.543 Ac



Property of
City of Memphis
Not Recorded
1317 Sq Ft
0.030 Ac

Legal Description
Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW) (320389.6649 N, 759558.6448 E); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence S64°28'04"E a distance of 25.00 feet to the Point of Beginning (320582.8519 N, 758611.3607 E), said point being on the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence S64°28'04"E along said north line a distance of 10.00 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point; thence S64°28'04"E a distance of 14.60 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point in the south line of said public alley; thence N64°28'04"W along the said south line a distance of 84.60 feet to the point of beginning and containing 1317 square feet of land more or less.



PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

DIVISION OF ENGINEERING

SAC 22-02

PUBLIC ALLEY CLOSURE PLAT

EAST OF N. FOURTH ST. NORTH OF COURT AVE.

MEMPHIS, TN

SURVEY BY Campbell DATE 2/22 BOOK _____

DRAFTSMAN SR Consulting DATE 3/22 SCALE 1"=20'

APPROVED _____ DEPUTY CITY ENGINEER

APPROVED _____ CITY ENGINEER

PROJECT NO. _____ FILE

AGENDA ITEM: 20

CASE NUMBER: SAC 22-002 **L.U.C.B. MEETING:** May 12, 2022

LOCATION: Alley Closure east of N. Fourth St., north of Court Ave.

COUNCIL DISTRICT: District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Townsend Development

REPRESENTATIVE: SR Consulting – Cindy Reaves

REQUEST: Close and vacate the public right-of-way of an east-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.

AREA: 1317± sq. ft.

EXISTING ZONING: Central Business District (CBD) and Downtown Medical Center Overlay

CONCLUSIONS

1. The public right-of-way of an east-west public alley located between N. Fourth St and Court Ave and terminates 89± sq. ft. east of N. Fourth St.
2. The applicant's intent is to combine the property into the adjacent development located on Jefferson St.
3. The closure of the subject right-of-way would not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 general plan does not address right-of-way vacations.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Zoning Atlas Page: 2030

Existing Zoning: Central Business District (CBD) and Downtown Medical Center Overlay

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 74 notices were mailed on April 29, 2022, and a total of 1 sign posted at the entrance of the right-of-way to be closed and vacated. The sign affidavit has been added to this report.

LOCATION MAP

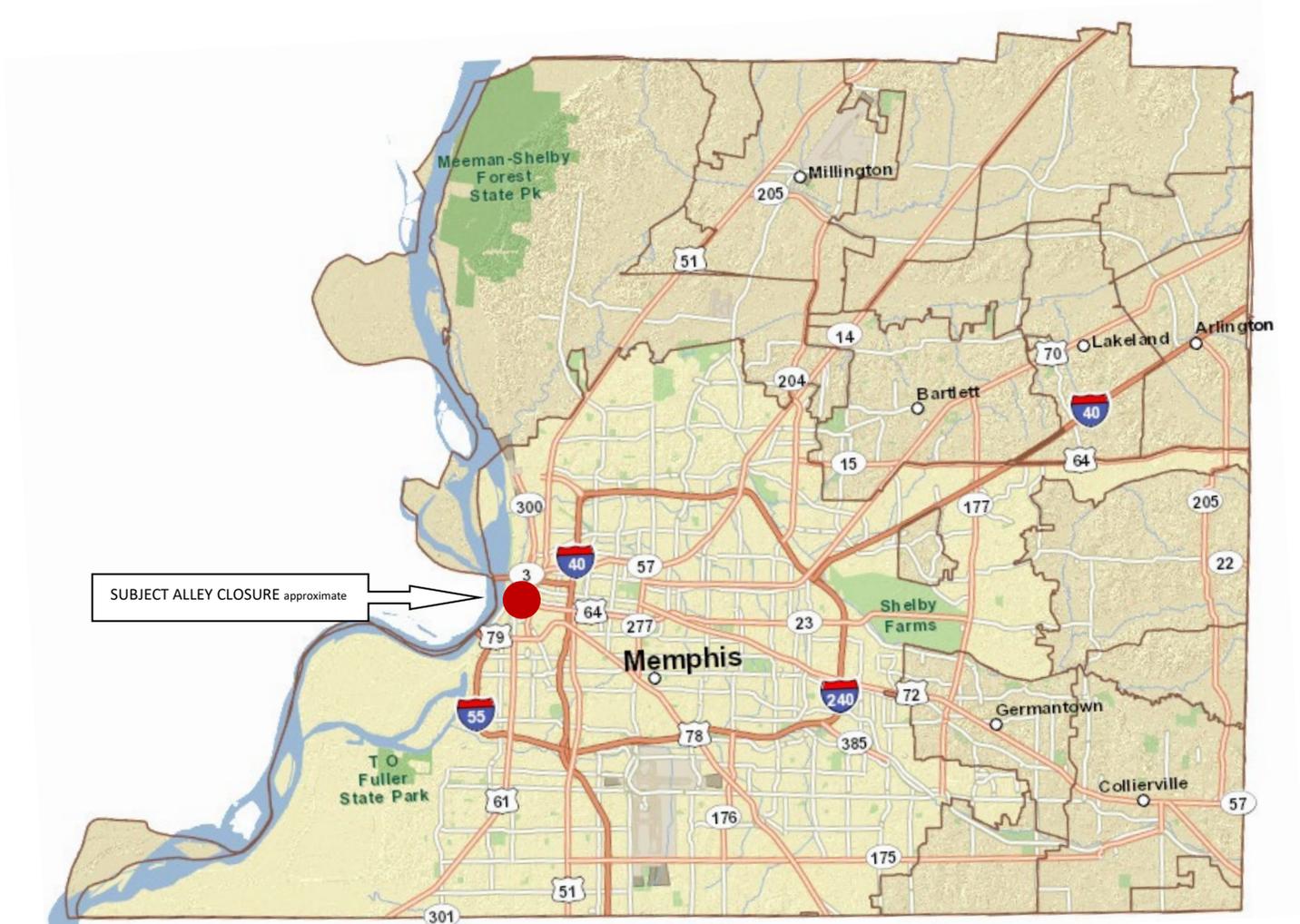


Figure 1 Subject alley closure located within the circle, Central Business District

PLAN OF MEMPHIS (1858)

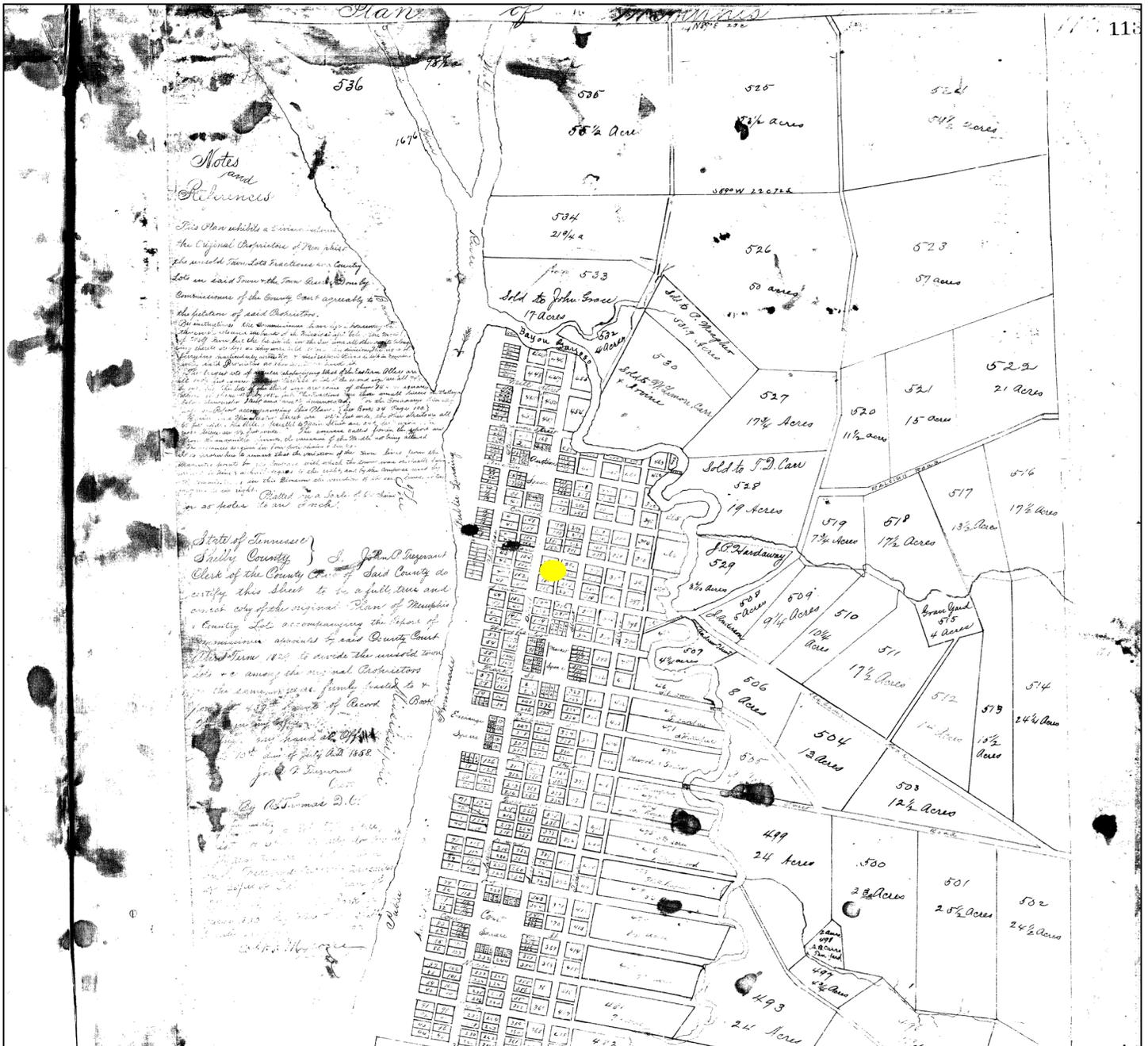


Figure 2 Approximate location of subject right-of-way highlighted in yellow

VICINITY MAP



Figure 3 Subject right-of-way highlighted in yellow

AERIAL

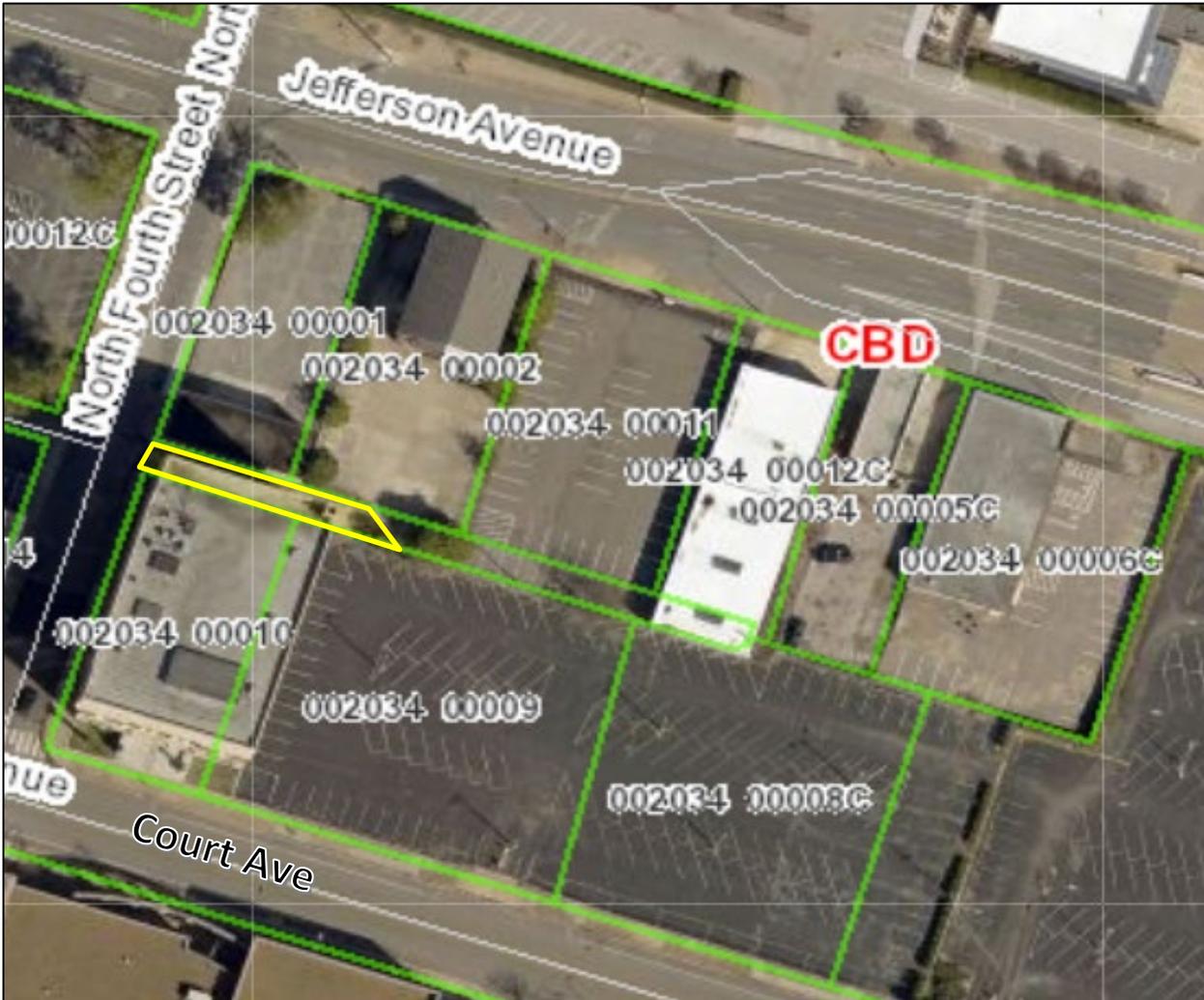


Figure 4 Subject right-of-way outlined in yellow, imagery from 2021

ZONING MAP



Figure 5 Subject right-of-way highlighted in yellow

Existing Zoning: Central Business District (CBD) and Downtown Medical Center Overlay

Surrounding Zoning

North: Central Business District (CBD) and Downtown Medical Center Overlay

East: Central Business District (CBD) and Downtown Medical Center Overlay

South: Central Business District (CBD) and Downtown Medical Center Overlay

West: Central Business District (CBD) and Downtown Medical Center Overlay

LAND USE MAP



Figure 6 Subject right-of-way outlined in yellow

SITE PHOTOS

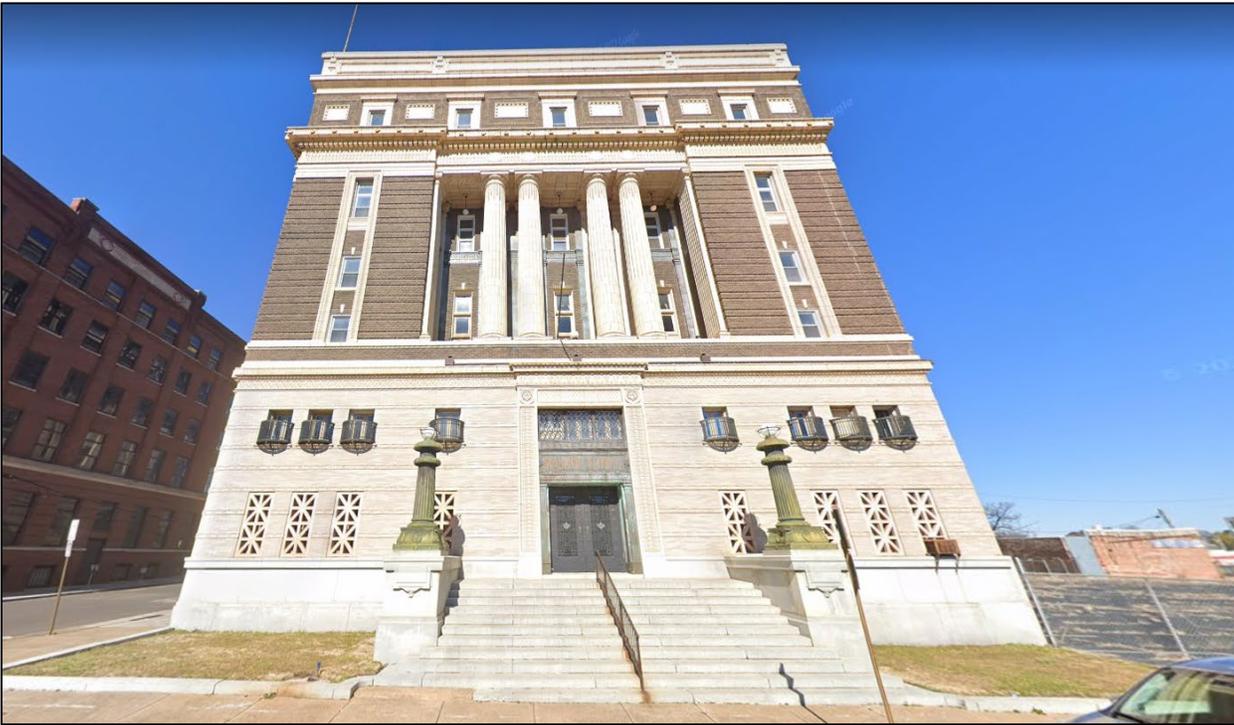


Figure 7 View of access point to the subject right-of-way from Court Ave looking north



Figure 8 View of access point to the subject right-of-way from the east-west unnamed public alley looking east. Alley dead-ends into a parking lot.

PUBLIC ALLEY CLOSURE PLAT

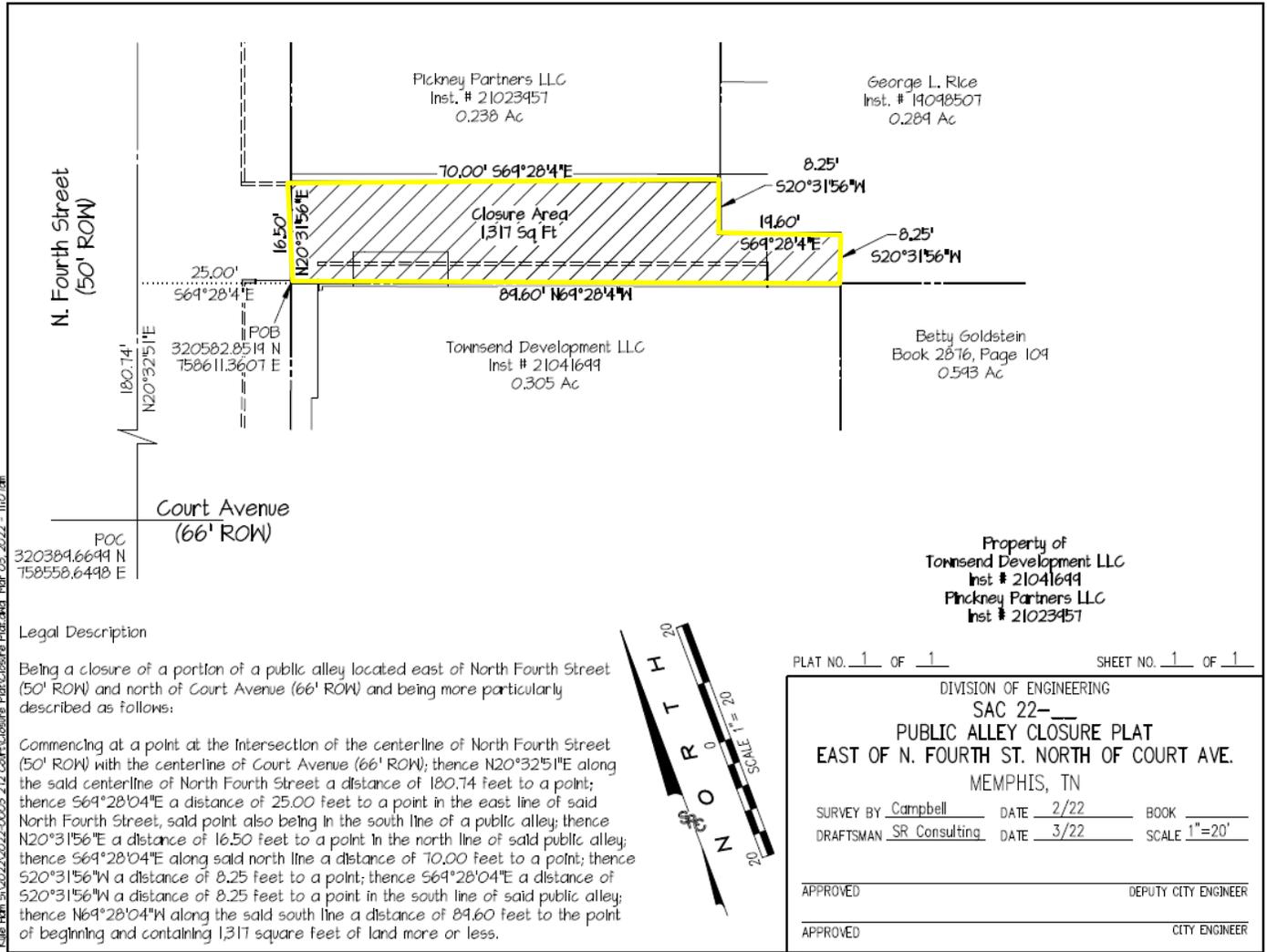


Figure 9 Subject right-of-way highlighted in yellow

LEGAL DESCRIPTION

Legal Description

Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence S69°28'04"E a distance of 25.00 feet to a point in the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence S69°28'04"E along said north line a distance of 70.00 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point; thence S69°28'04"E a distance of 8.25 feet to a point in the south line of said public alley; thence N69°28'04"W along the said south line a distance of 89.60 feet to the point of beginning and containing 1,317 square feet of land more or less.

STAFF ANALYSIS

Request and Reason

The application and letter of intent have been added to this report.

The request is to close and vacate right-of-way of an east-west unnamed public alley located east of N. Fourth St, north of Court Ave which starts at N. Fourth St and terminates in the middle of the block. The reason for the request is the applicant intends to combine the property into the adjacent development located on Jefferson Ave.

Site Description

The subject right-of-way is 16.5± sq. ft. wide at its west entrance. The northward length terminates at 70± sq. ft. with an east width of 8.25± sq. ft. The southward length terminates at 89.60± sq. ft. with an east width of 8.25±, for a total area of 1317± sq. ft. The subject property is located east of Fourth St between Court Ave (Parcel ID 002034 00010), and Jefferson Ave (Parcel ID 002034 00001).

Conclusions

The applicant is seeking to close and vacate an east-west public alley located east of N. Fourth St, north of Court Ave which starts at N. Fourth St and terminates in the middle of the block.

The applicant's intent is to combine the property into the adjacent development located on Jefferson Ave.

The closure of the subject right-of-way would not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. Provide easements for any existing utilities or relocate at the developer's expense.
2. Submit a closure plat subject to review and approval by City Engineering.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

- City/County Engineer:** Comments received.
1. Provide easements for any existing utilities or relocate at developer's expense. (There is no public sanitary sewer in the alley)
 2. Provide Engineering with a closure plat.
 3. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.

City/County Fire Division: No comments received.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning: No comments received.

APPLICATION



MEMPHIS AND SHELBY COUNTY

Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of Way Vacation)

Record Status: Assignment

Opened Date: March 9, 2022

Record Number: SAC 2022-002

Expiration Date:

Record Name: Alley Closure east of N. Fourth St. north of Court Ave.

Description of Work: Alley closure

Parent Record Number:

Contact Information

Name	Organization Name	Contact Type	Phone
Townsend Development		Adjacent	(310)
Townsend Development		Property Owner of Record	924-1760

Address

Cindy Reaves	SR Consulting LLC	Representative	(901) 870-7003
--------------	-------------------	----------------	-------------------

Address

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	Unit	Fee Code
1371035	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	03/28/2022		PLNGSTCLO S05
1371659	Right of Way Vacation/Closure Fee	1	400.00	INVOICED	0.00	03/30/2022		PLNGSTCLO S01

Total Fee Invoiced: \$400.00

Total Balance: \$0.00

APPLICATION

Payment Information

Payment Amount	Method of Payment
\$400.00	Check

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner	Chip Saliba
Date of Meeting	-

GENERAL INFORMATION

Name of Street where closure will begin	N. Fourth St.
Name of Street where closure will end	89 feet east of N. Fourth St.
What is the reason for the street closure?	To combined the property into the adjacent development
What is the total area of the right-of-way being closed?	1317
What is the overall length of the street closure?	89.60
Name of Street/Alley/ROW	Alley east of N. Fourth St.
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No
If yes, please provide additional information	-
Is this application a time extension?	No

RELATED CASE INFORMATION

Previous Case Numbers	-
-----------------------	---

GIS INFORMATION

Case Layer	-
Central Business Improvement District	No
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	-

LETTER OF INTENT



Date: March 3, 2022

To: Office of Planning & Development

From: Cindy Reaves

Re: Alley Closure, east of N. Fourth St., north of Court Ave.

LETTER OF INTENT

We are submitting an application for right-of-way vacation for a portion of a public alley located east of N. Fourth St. and north of Court Ave. The portion of alley to be closed is located between 2 existing buildings and is the only remaining portion of the alley that is open. The eastern portion of the alley was previously closed and is currently used for parking by adjacent property owners.

We appreciate your support with this request. Please contact me if you have any questions.

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Cindy Reaves, being duly sworn, depose and say that at 1:49 pm on the 28th day of April, 2022 I posted one Public Notice Sign pertaining to Case No. SAC 22-002 on the property (building) located at N. Fourth and the Public Alley providing notice of a Public Hearing before the May 12, 2022 Land Use Control Board for consideration of a proposed Land Use Action (Street and Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Cindy Reaves
Owner, Applicant or Representative

4/28/22
Date

Subscribed and sworn to before me this 28th day of April, 2022

Robert M. Sweeney
Notary Public
My commission expires: 9/21/23



MY COMMISSION EXPIRES
9/21/23

LETTERS RECEIVED

No letters received at the time of completion of this report.

N. Fourth Street
(50' ROW)

Pickney Partners LLC
Inst. # 21023957
0.238 Ac

George L. Rice
Inst. # 19098507
0.289 Ac

Closure Area
1,317 Sq Ft

Townsend Development LLC
Inst # 21041699
0.305 Ac

Betty Goldstein
Book 2876, Page 109
0.593 Ac

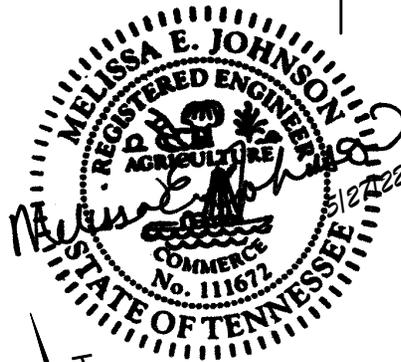
Court Avenue
(66' ROW)

POC
320389.6699 N
758558.6498 E

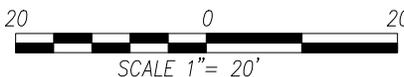
Legal Description

Being a closure of a portion of a public alley located east of North Fourth Street (50' ROW) and north of Court Avenue (66' ROW) and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of North Fourth Street (50' ROW) with the centerline of Court Avenue (66' ROW) (320389.669 N, 758558.6498 E); thence N20°32'51"E along the said centerline of North Fourth Street a distance of 180.74 feet to a point; thence S69°28'04"E a distance of 25.00 feet to the Point of Beginning (320582.8519 N, 758611.3607 E), said point being on the east line of said North Fourth Street, said point also being in the south line of a public alley; thence N20°31'56"E a distance of 16.50 feet to a point in the north line of said public alley; thence S69°28'04"E along said north line a distance of 70.00 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point; thence S69°28'04"E a distance of 19.60 feet to a point; thence S20°31'56"W a distance of 8.25 feet to a point in the south line of said public alley; thence N69°28'04"W along the said south line a distance of 89.60 feet to the point of beginning and containing 1,317 square feet of land more or less.



Property of
City of Memphis
Not Recorded
1,317 Sq Ft
0.030 Ac



PLAT NO. 1 OF 1

SHEET NO. 1 OF 1

DIVISION OF ENGINEERING
SAC 22-02
PUBLIC ALLEY CLOSURE PLAT
EAST OF N. FOURTH ST. NORTH OF COURT AVE.
MEMPHIS, TN

SURVEY BY Campbell DATE 2/22 BOOK _____
DRAFTSMAN SR Consulting DATE 3/22 SCALE 1"=20'

APPROVED _____ DEPUTY CITY ENGINEER

APPROVED _____ CITY ENGINEER

PROJECT NO.

FILE



**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

August 30, 2022

Townsend Development
272 Court Avenue
Memphis, TN 38103

Sent via electronic mail to (applicant's representative): cindy.reaves@srce-memphis.com

Case Number: SAC 2022-002
LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, May 12, 2022, the Memphis and Shelby County Land Use Control Board recommended **approval** of your right-of-way vacation application to close a portion of the east-west public alley right-of-way east of Fourth Street, south of Jefferson, and north of Court Avenue, subject to the following conditions:

1. Provide easements for any existing utilities or relocate at the developer's expense.
2. Submit a closure plat subject to review and approval by City Engineering.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.

The application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at lucas.skinner@memphistn.gov.

Letter to Applicant
SAC 2022-002

Respectfully,

A handwritten signature in cursive script that reads "Lucas Skinner".

Lucas Skinner
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Cindy Reaves, SR Consulting, LLC
File

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 09/13/2022

DATE

PUBLIC SESSION: 10/11/2022

DATE

ITEM (CHECK ONE)

ORDINANCE _____ RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the south side of Arnold Road +/-1,259 feet west of Getwell Road (3595 Arnold Road). By taking the land out of the Residential Urban – 3 (RU-3) Use District and including it in the Employment (EMP) Use District, known as case number Z 2022-004.

CASE NUMBER: Z 2022-004

LOCATION: 3595 Arnold Road - South side of Arnold Road +/-1,259 feet west of Getwell Road

COUNCIL DISTRICTS: District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Jonathan Whitman

REPRESENTATIVES: Josh Whitehead – Burch, Porter, Johnson

REQUEST: Rezoning of +/-33.8 acres from Residential Urban – 3 (RU-3) to Employment (EMP)

RECOMMENDATION: The Division of Planning and Development recommended **Rejection**
The Land Use Control Board recommended **Rejection**

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
Set date for first reading – September 13, 2022
Second reading – September 27, 2022
Third reading – October 11, 2022

PRIOR ACTION ON ITEM:

(2) _____ APPROVAL - (1) APPROVED (2) DENIED
06/09/2022 _____ DATE
(1) Land Use Control Board _____ ORGANIZATION - (1) BOARD / COMMISSION
_____ (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____ REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____ AMOUNT OF EXPENDITURE
\$ _____ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____ OPERATING BUDGET
\$ _____ CIP PROJECT # _____
\$ _____ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____ <u>Lucas Skinner</u> _____	<u>08/25/2022</u>	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2022-004

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 3595 ARNOLD ROAD - SOUTH SIDE OF ARNOLD ROAD +/-1,259 FEET WEST OF GETWELL ROAD BY TAKING THE LAND OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2022-004

- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, June 9, 2022**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 2022-004

LOCATION: 3595 Arnold Road - South side of Arnold Road +/-1,259 feet west of Getwell Road

COUNCIL DISTRICT(S): District 3, Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Jonathan Whitman

REPRESENTATIVE: Josh Whitehead – Burch, Porter, Johnson

REQUEST: Rezoning of +/-33.8 acres from Residential Urban – 3 (RU-3) to Employment (EMP)

The following spoke in support of the application: Josh Whitehead

The following spoke in opposition of the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application.

The motion failed by a vote of 2-6 on the regular agenda.

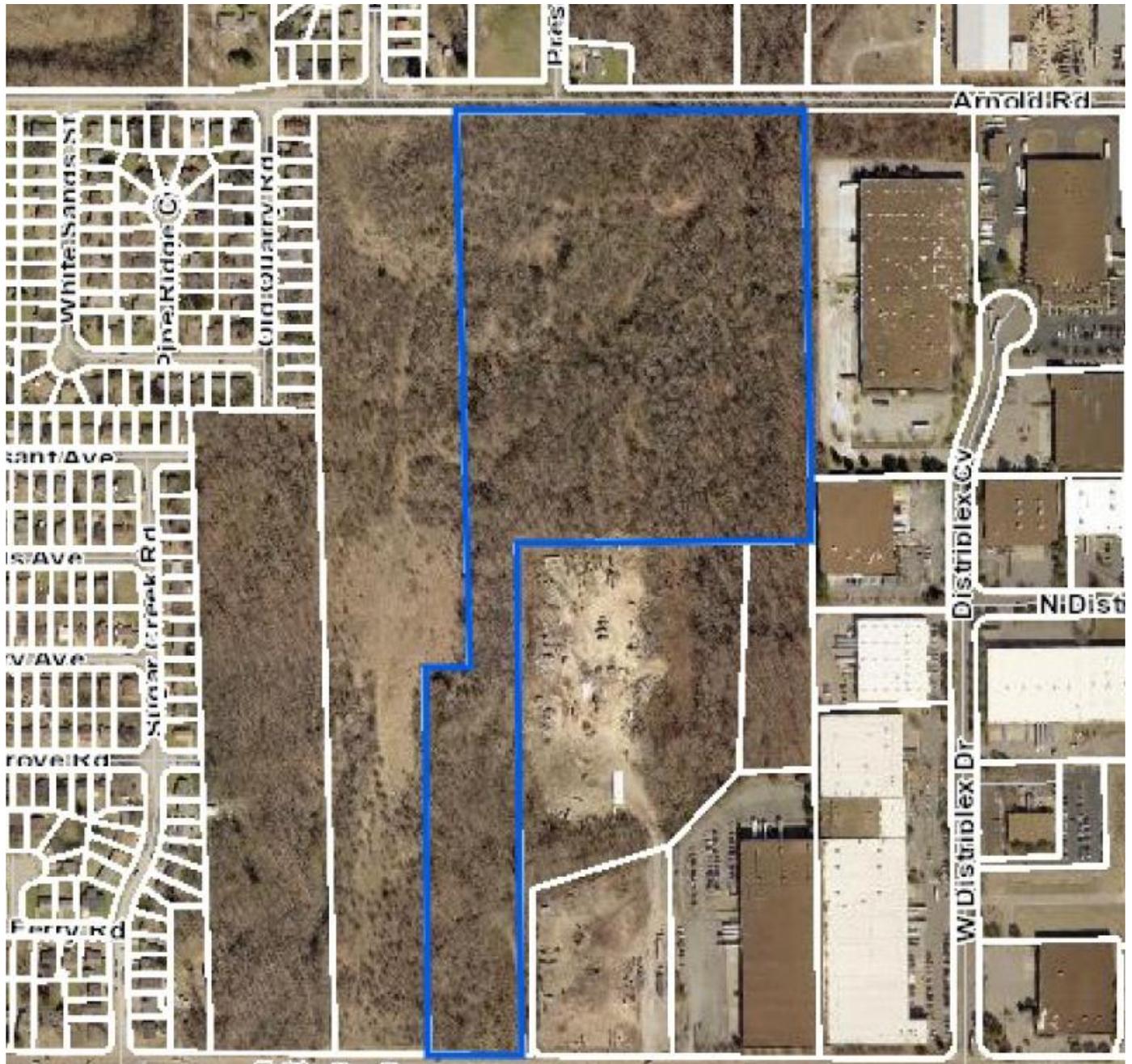
Respectfully,



Lucas Skinner
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

PLOT PLAN



ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 3595 ARNOLD ROAD - SOUTH SIDE OF ARNOLD ROAD +/-1,259 FEET WEST OF GETWELL ROAD. BY TAKING THE LAND OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2022-004

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2022-004**; and

WHEREAS, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:

SECTION 1:

THAT, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT.

The following property located in the City of Memphis, Tennessee being more particularly described as follows:

LEGAL DESCRIPTION

PARCEL A:

Beginning at a point in the present north line of Shelby Drive a distance of 836.235 feet east of the centerline

of Sugar Creek Road; thence North 00 degrees 41 minutes 45 seconds West a distance of 1035.25 feet to a point; thence South 89 degrees 24 minutes 22 seconds East a distance of 264.09 feet to a point; thence South 00 degrees 24 minutes 15 seconds East a distance of 1035.27 feet to a point in the present north line of Shelby Drive; thence North 89 degrees 22 minutes 47 seconds West with the present north line of Shelby Drive a distance of 258.815 feet to the point of beginning.

PARCEL B:

Beginning at a point in the centerline of Arnold Road a distance of 274.37 feet west of the physical centerline of Prescott Road, said point being in the northwest corner of the Parcel herein described; thence South 89 degrees 27 minutes 31 seconds East with the centerline of Arnold Road a distance of 274.37 feet to a point; thence South 89 degrees 46 minutes 18 seconds East a distance of 681.45 feet to a point; thence South 00 degrees 19 minutes 35 seconds East a distance of 1205.41 feet to a point; thence North 89 degrees 22 minutes 53 seconds West a distance of 801.43 feet to a point; thence South 00 degrees 24 minutes 15 seconds East a distance of 362.69 feet to a point in the north line of Parcel A; thence North 89 degrees 24 minutes 22 seconds West with the north line of Parcel A a distance of 136.92 feet to a point; thence North 00 degrees 59 minutes 14 seconds West a distance of 1563.54 feet to the point of beginning.

SECTION 2:

THAT, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

SECTION 3:

THAT, this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

ATTEST:

**CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement
Shelby County Assessor**

//: ATTACHMENTS

AGENDA ITEM: 30

CASE NUMBER: Z 2022-004

L.U.C.B. MEETING: June 9, 2022

LOCATION: 3595 Arnold Road

COUNCIL DISTRICT: District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Jonathan Whitman

REPRESENTATIVE: Josh Whitehead – Burch Porter Johnson

REQUEST: Rezoning of +/-33.8 acres from Residential Urban – 3 (RU-3) to Employment (EMP)

CONCLUSIONS

1. The request is to rezone +/-33.8 acres from Residential Urban – 3 (RU-3) to Employment (EMP).
2. Historically, there was a previously approved planned development in early 1997 (PD 1996-348) for light industrial uses on this site. Though it has since expired, this request is in line with this previously approved outline plan (Shelby Drive Business Park).
3. The underlying purpose of this request is to allow the applicant to create a light industrial development, similar to those just to the east of the property. From the letter of intent, “If successfully rezoned, we plan on improving the site with a 450,000 square foot warehouse. Based on comparable sites in the immediate vicinity, we expect this development to produce approximately \$450,000 in City and County taxes on an annual basis. As \$781.17 in taxes are currently paid, this represents a 576-fold increase. In addition, we anticipate a warehouse of this size generating several hundred jobs.”
4. This site abuts existing light industrial uses and zoning along its entire eastern border, and would continue to provide a transition from the heavier industrial uses to the northeast along Raines Road. However, the site is adjacent and abutting multiple residential uses, the closest being a single-family use to the north across Arnold Road.
5. Moreover, this request was ultimately found to be inconsistent with the Memphis 3.0 plan due to the Future Land Use designating this site for multifamily (see pp. 14-16). Given the case and the need to be consistent with local plans, staff must recommend rejection, though staff feels that the case could be somewhat approvable given other parameters.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is inconsistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 14-16 of this report.

RECOMMENDATION

Rejection

GENERAL INFORMATION

Street Frontage: Arnold Road +/-950.8 linear feet
East Shelby Drive +/-257 linear feet

Zoning Atlas Page:

Parcel ID: 073102 00128

Area: +/-33.804 acres

Existing Zoning: Residential Urban – 3 (RU-3)

Requested Zoning: Employment (EMP)

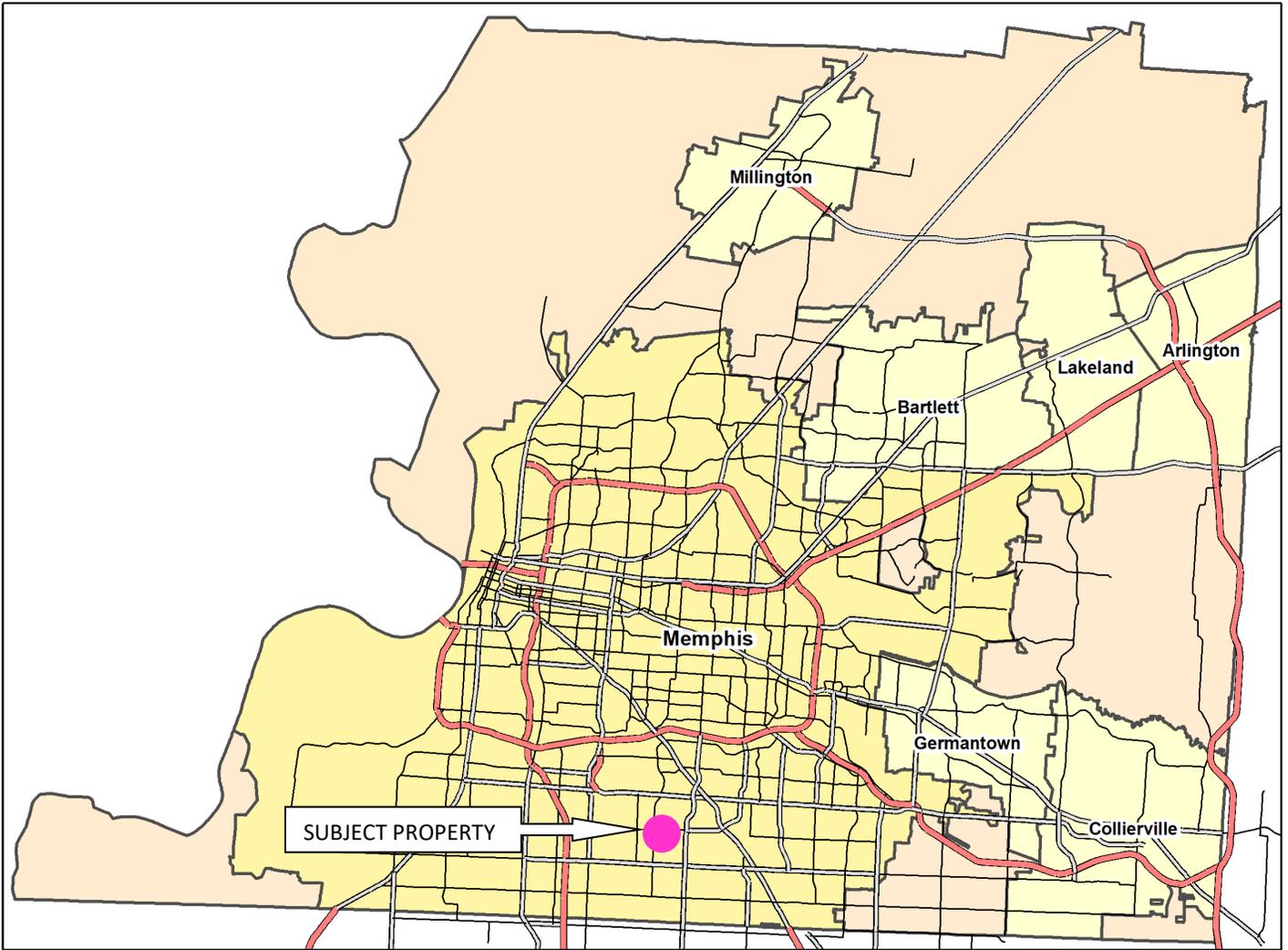
NEIGHBORHOOD MEETING

Note in accordance with Sub-Section 9.3.2E of the Unified Development Code (UDC) the applicant must hold a neighborhood meeting in compliance with the Section 9.3.2 of the UDC. Note all notice and timing requirements of this Section 9.3.2 still apply, but will be timed in conjunction with date the governing body (City Council) is expected to vote on the matter.

PUBLIC NOTICE

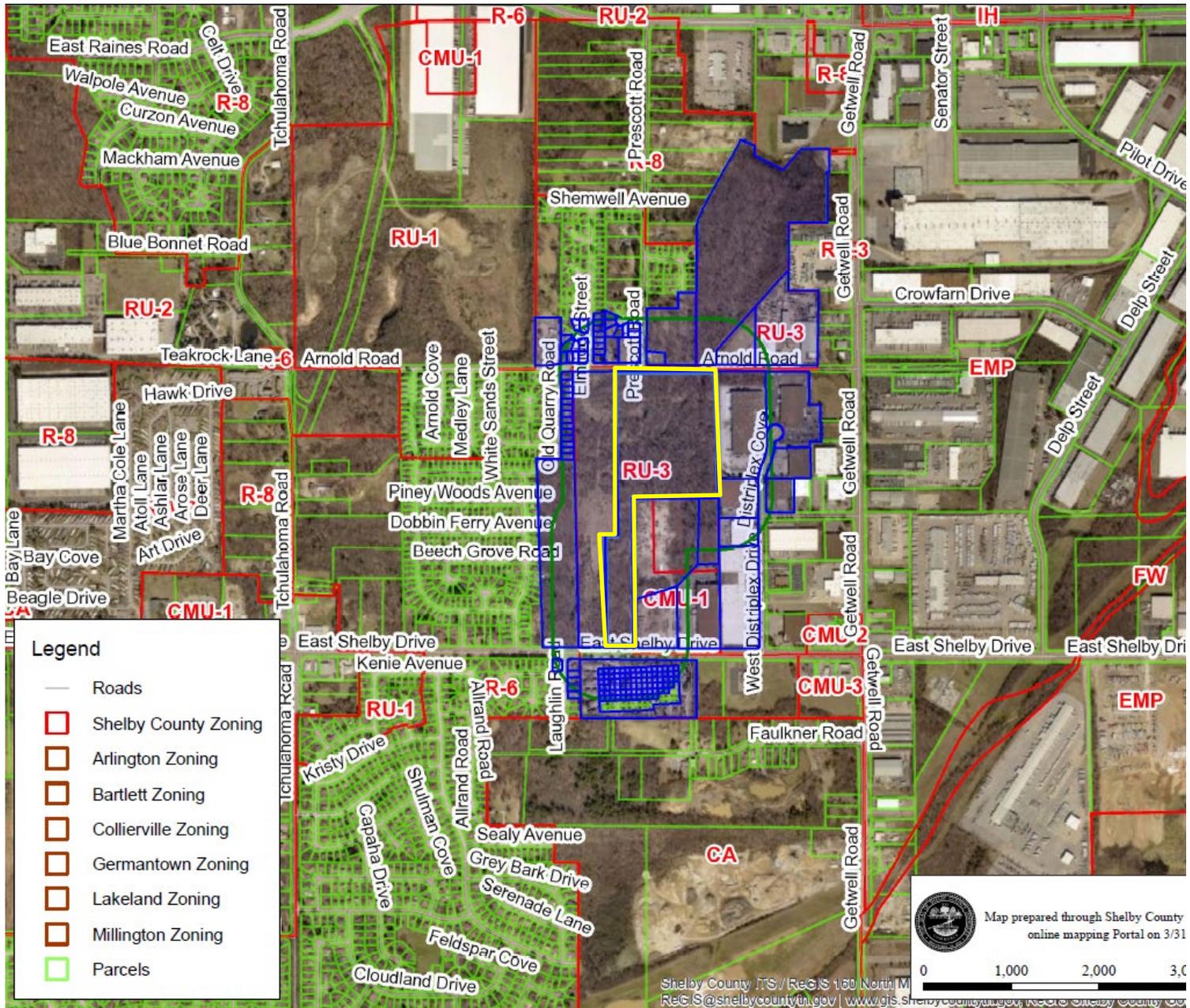
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 163 notices were mailed on May 25, 2022, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



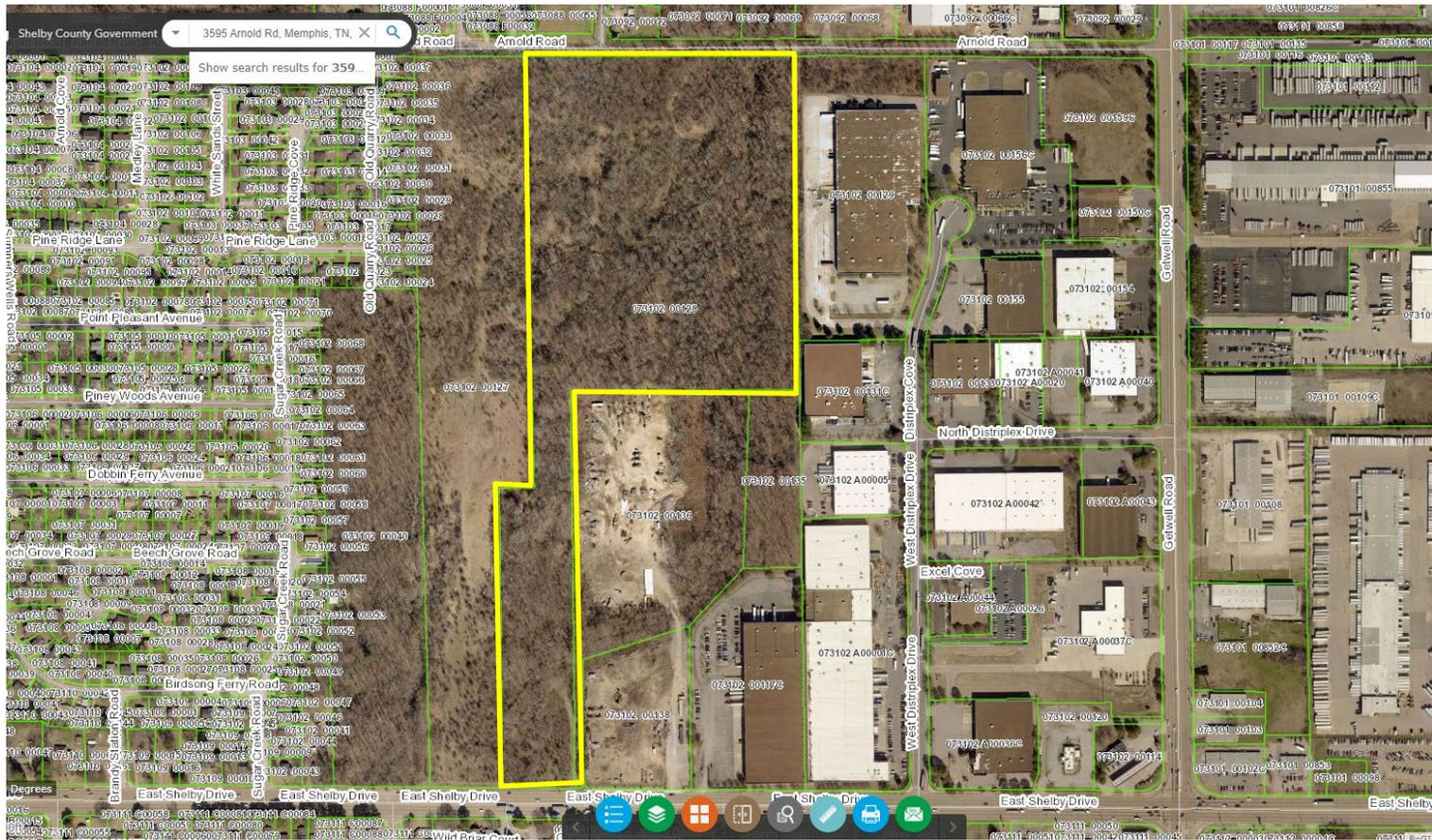
Subject property located within the pink circle, Oakhaven neighborhood

VICINITY MAP



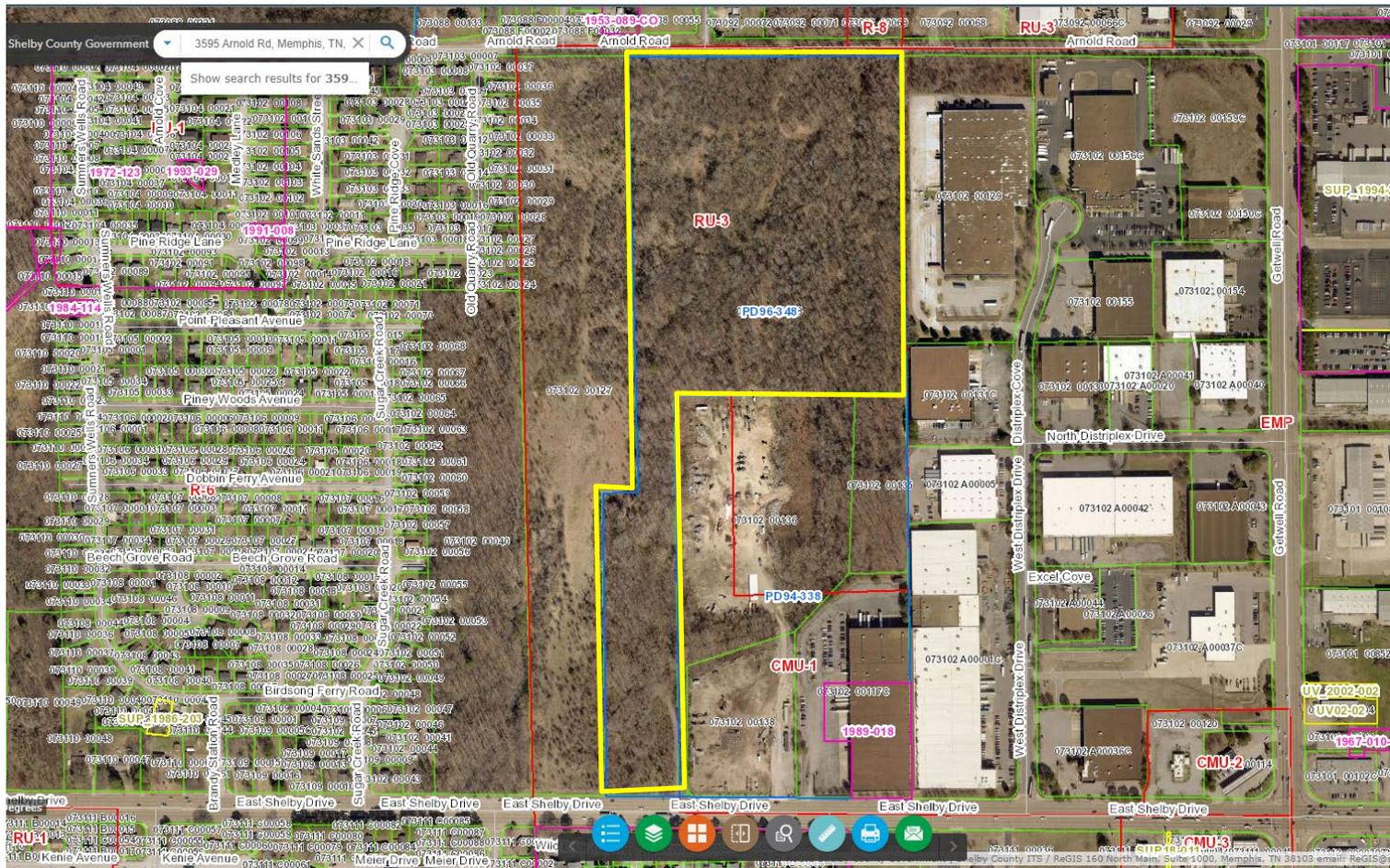
Subject property highlighted in yellow

AERIAL



Subject property outlined in yellow

ZONING MAP



Subject property highlighted in yellow

Existing Zoning: Residential Urban – 3 (RU-3)

Surrounding Zoning

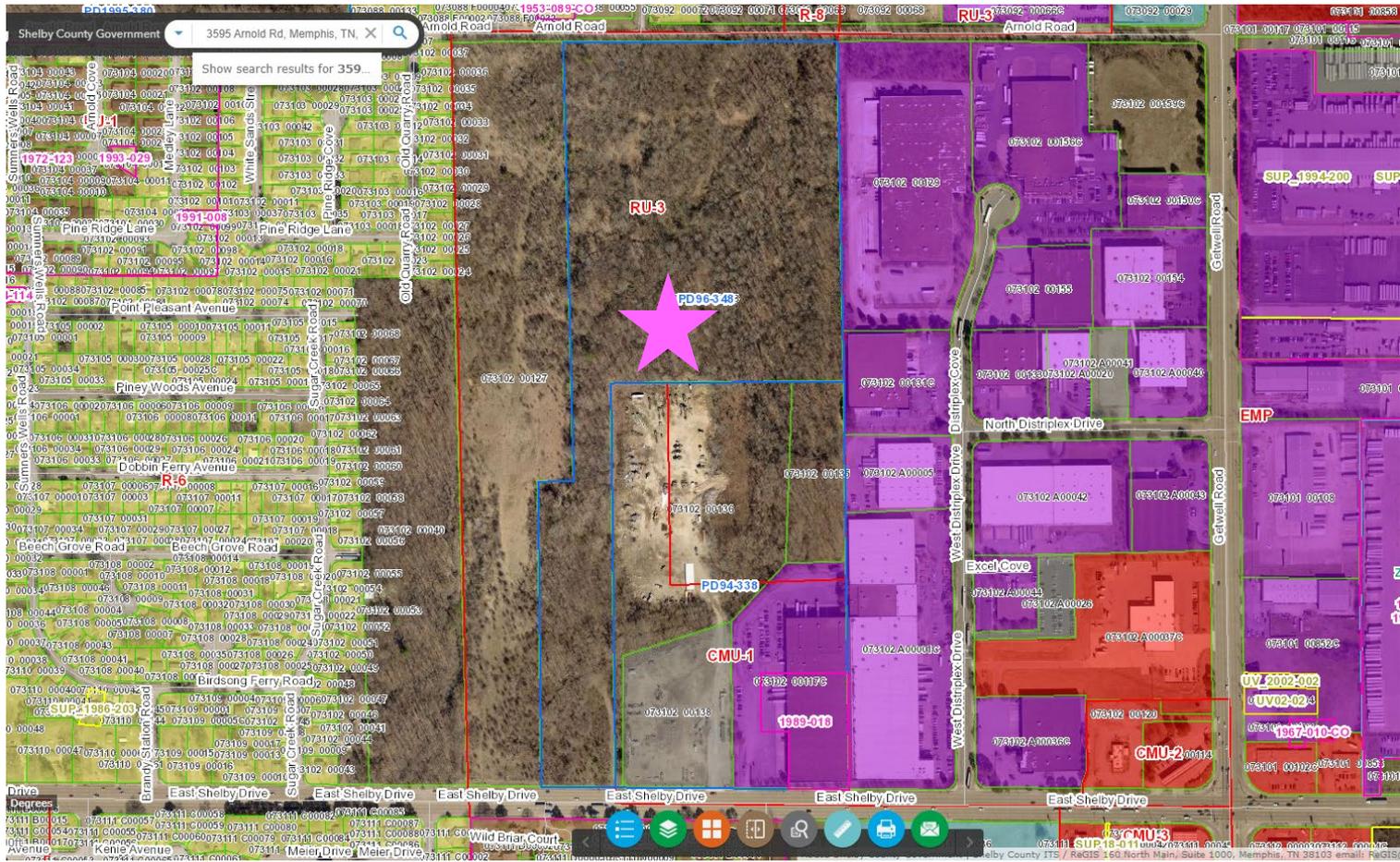
North: Residential Single-Family – 8 (R-8) and RU-3

East: EMP

South: CMU-1, RU-3

West: RU-3, RU-1, R-6

LAND USE MAP



LandUse

- | | | | |
|---|---------------------------|---|------------|
|  | SINGLE-FAMILY |  | OFFICE |
|  | MULTI-FAMILY |  | INDUSTRIAL |
|  | INSTITUTIONAL |  | PARKING |
|  | COMMERCIAL |  | VACANT |
|  | RECREATIONAL / OPEN SPACE | | |

Subject property indicated by pink star

SITE PHOTOS



Aerial view of subject property from Arnold Road looking south (yellow line to delineate western property line)



Aerial view of subject property from Shelby Drive looking north (shape is approximate)

STAFF ANALYSIS

Request

The application and letter of intent have been added to this report.

The request is to rezone +/-33.8 acres from Residential Urban – 3 (RU-3) to Employment (EMP).

Review Criteria

Staff disagrees the review criteria as set out in Sub-Section 9.5.7B of the Unified Development Code are met.

9.5.7B Review Criteria

In making recommendations, the Land Use Control Board shall consider the following matters:

9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);

9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;

9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;

9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and

9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.

Site Description

The subject property is +/- 33.8 acres located west side Getwell Road fronting on both Arnold Road on the north side and East Shelby Drive on the south side. The site is currently undeveloped and vacant with a heavy number of trees. The site is currently zoned Residential Urban – 3 (RU-3) and immediately abuts similar light industrial uses to the east. There are residential uses across Arnold Road to the northwest and further west from this site.

Site Zoning History

On February 4, 1997 the Memphis City Council approved the Shelby Drive Business Park Planned Development (PD 96-348) to allow light industrial uses. The PD was never acted on, and therefore expired. See the Council Resolution images below for more information:

R E S O L U T I O N

WHEREAS, Section 14 of the Zoning Ordinance-Regulations of the City of Memphis and Shelby County, being a section of the Joint Ordinance-Resolution No. 3064, dated October 7, 1980, authorizes the Council of the City of Memphis to grant a planned development for certain stated purposes in the various zoning districts; and,

WHEREAS, Application has been made for a planned development for property located on the north side of East Shelby Drive, beginning 836.24 feet east of Sugar Creek Road, extending north to Arnold Road; and,

WHEREAS, The Office of Planning and Development has received and reviewed the application in accordance with procedures, objectives and standards for planned developments as set forth in Section 14 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation concerning the above considerations to the Land Use Control Board; and,

WHEREAS, A public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on September 12, 1996 and said Board reported its recommendation to the City Council regarding the objectives, standards and criteria, and the effect of granting the planned development upon the character of the neighborhood and other matters pertaining to the public safety and general welfare; and,

WHEREAS, The Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board, and the report and recommendation of the Office of Planning and Development; and,

WHEREAS, The Council of the City of Memphis has held a public hearing on the planned development and has determined that the planned development meets the objectives, standards and criteria for a planned development, and said development is consistent with the public interests.

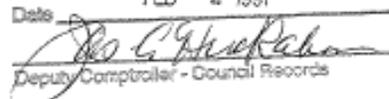
NOW, THEREFORE BE IT RESOLVED By the Council of the City of Memphis that the planned development is hereby granted for business and distribution uses in accordance with the outline plan incorporated in the application, and subject to the attached conditions.

BE IT FURTHER RESOLVED That the requirements of said aforementioned section of the Zoning Ordinance-Regulations shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan of development in accordance with said outline plan and the provisions of Section 14 of the Zoning Ordinance-Regulations.

cc: Building Official
City Engineer
Office of Planning and Development

I hereby certify that the foregoing is a true copy
and document was adopted, approved by the
Council of the City of Memphis in regular
session on

Date FEB 4 1997


Deputy Comptroller - Council Records

Shelby Drive Business Park Planned Development
Outline Plan Conditions

PD 96-348
Page 1

I. USES PERMITTED:

A. Any use permitted by right, administrative site plan approval in the I-L Light Industrial District with the following exceptions:

1. Amusements, commercial indoor and outdoor
2. Heliport
3. Campground, travel trailer park
4. Drive-in theater
5. Lumberyard
6. Mobile home sales
7. Motor Vehicles sales
8. Sheet metal shop
9. Undertaking establishment
10. Brewery
11. Manufacture of chemical, cosmetic, drug, soap, paints, fertilizer and abrasive products
12. Contractor's Storage, Outdoor
13. Adult Entertainment
14. Tavern, Cocktail Lounge, Nightclub
15. Video Arcade
16. Commercial Parking Garage
17. Taxicab Dispatch Station
18. Beverage Container Collection or Recycling Center
19. Motor Vehicle Sales or Service
20. Pawn shops
21. Flea Markets, Used Goods, or Second Hand Sales
22. Tobacco Products Manufacture
23. Landfill
24. Bus Terminal or Service Facility
25. Garbage or refuse collection service

B. Uses requiring a Special Use Permit shall be approved in accordance with Section 9 of the Zoning Ordinance-Regulations unless specifically excluded above.

II. BULK REGULATIONS

A. The bulk regulations for the I-L Light Industrial District in Chart 2 of the Zoning Regulations shall govern the development with the following exceptions:

1. Minimum Yard Requirements:

West PD boundary	- 50 feet
Arnold Road	- 50 feet
East PD boundary	- 30 feet
801.43' South PD boundary	- 30 feet
East Shelby Drive	- 30 feet
Prescott Road	- 30 feet

Conclusions

The request is to rezone +/-33.8 acres from Residential Urban – 3 (RU-3) to Employment (EMP).

Historically, there was a previously approved planned development in early 1997 (PD 1996-348) for light industrial uses on this site. Though it has since expired, this request is in line with this previously approved outline plan (Shelby Drive Business Park).

The underlying purpose of this request is to allow the applicant to create a light industrial development, similar to those just to the east of the property. From the letter of intent, “If successfully rezoned, we plan on improving the site with a 450,000 square foot warehouse. Based on comparable sites in the immediate vicinity, we expect this development to produce approximately \$450,000 in City and County taxes on an annual basis. As \$781.17 in taxes are currently paid, this represents a 576-fold increase. In addition, we anticipate a warehouse of this size generating several hundred jobs.”

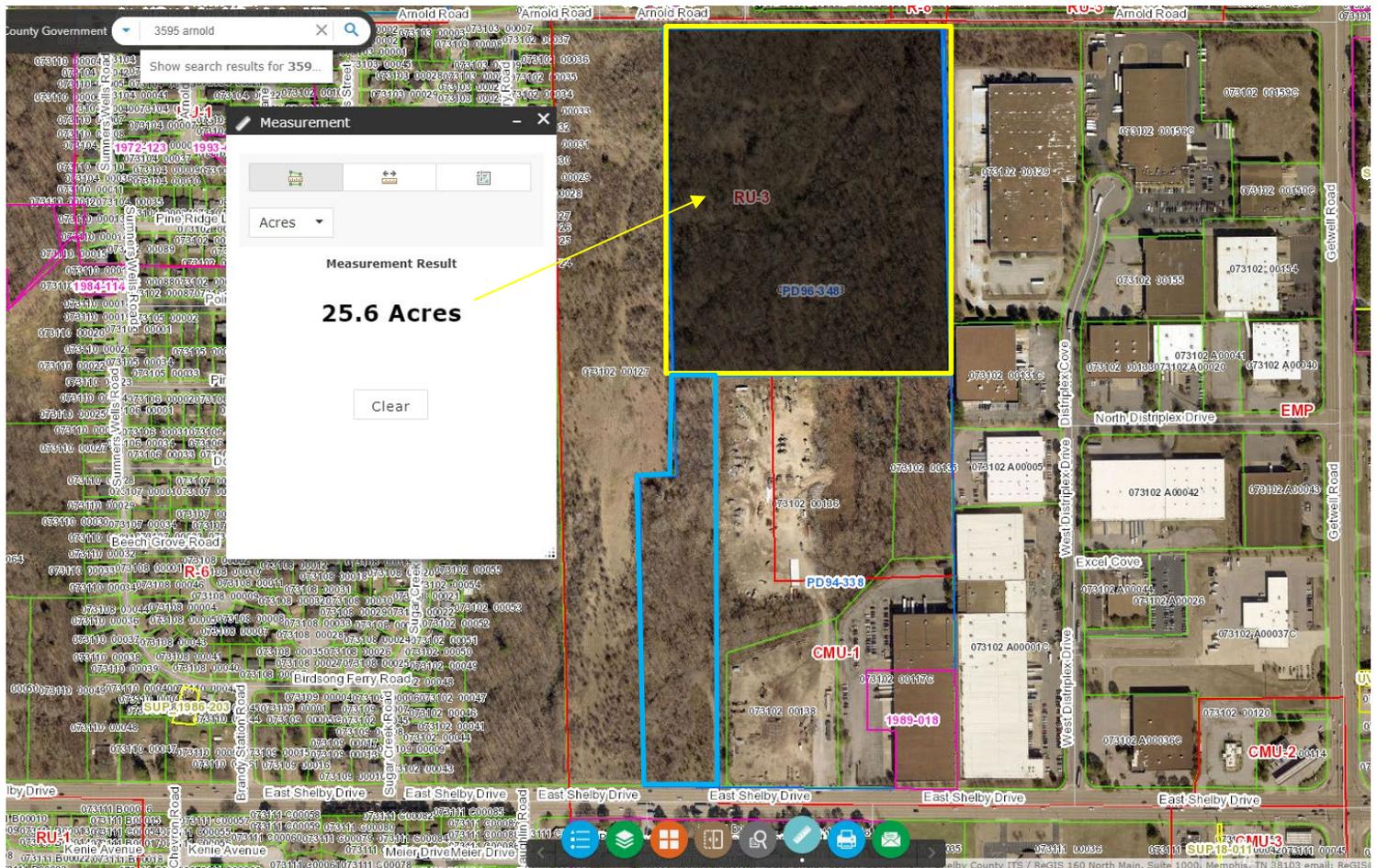
This site abuts existing light industrial uses and zoning along its entire eastern border, and would continue to provide a transition from the heavier industrial uses to the northeast along Raines Road. However, the site is adjacent and abutting multiple residential uses, the closest being a single-family use to the north across Arnold Road.

Moreover, this request was ultimately found to be inconsistent with the Memphis 3.0 plan due to the Future Land Use designating this site for multifamily (see pp. 14-16). Given the case and the need to be consistent with local plans, staff must recommend rejection, though staff feels that the case could be somewhat approvable given other parameters.

RECOMMENDATION

Staff recommends rejection.

However, staff feels that given the issue of “split” compatibility and incompatibility with nearby uses, approval for Employment (EMP) for the northern (roughly 25.6 acres) portion of the site, and the southern portion remaining Residential Urban – 3 (RU-3) could be a possible compromise. Staff feels this could still allow the development and promote the zoning nearest to the existing EMP uses to the east, while keeping the residential portion closest to the surrounding similar uses more toward the west. See the image below to see a graphic interpretation for the approval:



The yellow denotes the portion of the site to be approved for the Employment (EMP) zoning. The remaining southern portion (blue) would remain Residential Urban – 3 (RU-3).

Alternatively, the applicant could refile the application as a Planned Development. This would allow conditions of approval to provide flexibility in the approval and use of the southern portion of the site.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

- City/County Engineer:** No comments received.
- City/County Fire Division:** No comments received.
- City Real Estate:** No comments received.
- City/County Health Department:** No comments received.
- Shelby County Schools:** No comments received.
- Construction Code Enforcement:** No comments received.
- Memphis Light, Gas and Water:** No comments received.
- Office of Sustainability and Resilience:** No comments received.

Office of Comprehensive Planning:

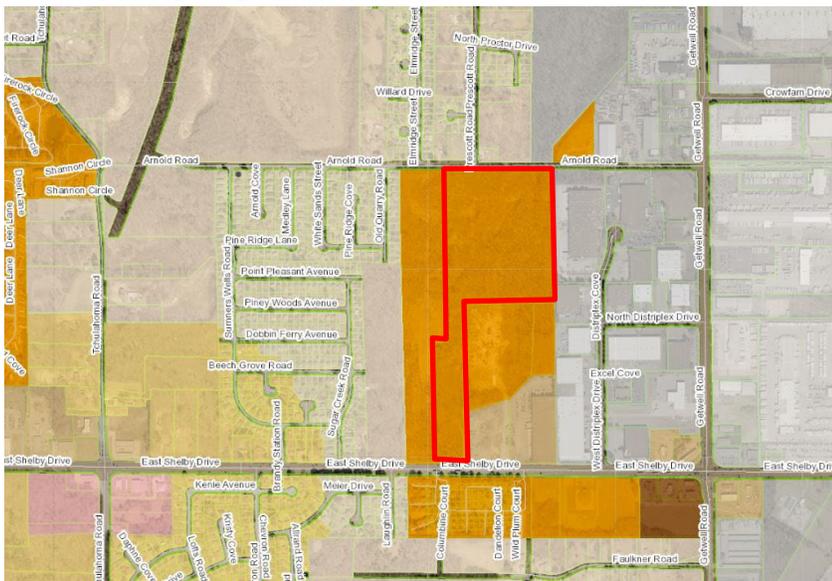
Site Address/location: 0 Arnold Road.

Land Use Designation (see page 88 for details): Primarily Multifamily Neighborhood (NM)

Based on the future land use and existing, adjacent land uses the proposal is NOT CONSISTENT with the Memphis 3.0 Comprehensive Plan.

The following information about the land use designation can be found on pages 76 – 122:

1. FUTURE LAND USE PLANNING MAP



Red polygon indicates the application sites on the Future Land Use Map.

2. Land use description & applicability:

Multifamily Neighborhoods are characterized by their house and block size buildings that are a combination of attached, detached and semi attached homes. These neighborhoods are major residential hubs that consist of apartment complexes and condominiums and located greater than a 10-minute walk outside of the closest anchor. See graphic portrayal to the right.



“NM” Goals/Objectives:

Preservation/maintenance of existing multi-family housing.

“NM” Form & Location Characteristics:

Attached, semi-detached, and detached House-scale and some block-scale buildings. Primarily residential with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map. 1-3+ stories height Beyond 1/2 mile from a Community Anchor.

The applicant is seeking to rezone 33.8 acres from Residential Urban-3 (RU-3) to Employment (EMP) at 0 Arnold Road.

The request does not meet the criterial of NM because the proposed use will be a warehouse, serving mostly as an industrial land use. The addition of this development will disrupt the buffer between the low intensity single family uses on the west and high intensity industrial uses to the east.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land uses: Single-Family, Industrial, and Vacant. The subject site is surrounded by the following zoning districts: RU-3, R-6, and CMU-1. This requested land use is not compatible with the adjacent land uses because *some existing land uses surrounding the parcels is not similar in nature to the requested use.*

4. Degree of Change map



Red polygon denotes the proposed site in Degree of Change area. There is no Degree of Change.

5. Degree of Change Descriptions

N/A

Based on the information provided, the proposal is **NOT CONSISTENT** with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Faria Urmy, Comprehensive Planning.

APPLICATION



Memphis and Shelby County
Office of Planning and Development
CITY HALL, 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR REZONING APPROVAL

Date: April 18, 2022

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Zero Arnold Road, LLC Phone #: _____

Mailing Address: P.O Box 848 City/State: Lakewood, NJ Zip 08701-0848

Property Owner E-Mail Address: _____

Applicant: Jonathan Whitman Phone # _____

Mailing Address: same as above City/State: _____ Zip _____

Applicant E- Mail Address: jonathan.whitman@yahoo.com

Representative: Josh Whitehead Phone #: 901-524-5127

Mailing Address: 130 North Court Ave. City/State: Memphis, TN Zip 38103

Representative E-Mail Address: jwhitehead@memphistn.gov

Engineer/Surveyor: _____ Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Engineer/Surveyor E-Mail Address: _____

Street Address Location: _____

Distance to nearest intersecting street: _____

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	33.8 acres	_____	_____
Existing Zoning:	RU-3 multi-family	_____	_____
Existing Use of Property	vacant	_____	_____
Requested Use of Property	warehouse	_____	_____
Requested Zoning	EMP employment	_____	_____

Pre-Application Conference held on: April 11, 2022 with Lucas Skinner

Neighborhood Meeting Requirement Met: Yes or Not Yet or Not Required (see below)
(If yes, documentation must be included with application materials)

I (we) hereby make application for the rezoning classification described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

<u>0 ARNOLD ROAD, LLC</u>	<u>04/27/22</u>	<u>Jonathan Whitman</u>	<u>04/27/22</u>
Property Owner of Record	Date	Applicant	Date

LETTER OF INTENT



Josh Whitehead
Direct: 901.524.5127
jwhitehead@bpjlaw.com

LAW OFFICES
Burch, Porter & Johnson, PLLC
130 North Court Avenue
Memphis, TN 38103
Phone: 901.524.5000
Fax: 901.524.5024
bpjlaw.com

May 5, 2022

Brett Ragsdale
Zoning Administrator
Memphis and Shelby County Division of Planning and Development
125 N. Main Street, Suite 468
Memphis, TN 38103

RE: proposed rezoning on north side of Shelby between Tchulahoma and Getwell

Mr. Ragsdale:

On behalf of Zero Arnold Road, LLC and Jonathan Whitman, I am pleased to submit the attached application for a rezoning on the north side of Shelby Drive between Tchulahoma and Getwell.

This 33.8-acre site is currently zoned Residential Urban-3 (RU-3), which allows for multi-family uses. We believe those uses permitted in the Employment (EMP) district would have a greater positive effect on both the immediate neighborhood and the city as a whole than an apartment community at this location. Indeed, Oakhaven has been and remains one of the strongest employment zones in metropolitan Memphis, a major factor in the neighborhood's continued stabilization.

The Memphis 3.0 General Plan's Future Land Use Planning Map identifies the subject parcel as it is zoned, as multi-family housing (see Exhibit A). However, the parcel is adjacent, both to the north and to the east, to properties identified in the Future Land Use Planning Map as "industrial flex," a light industrial land use designation. The current land use and zoning of adjacent properties is one of the key factors for determining consistency with the Memphis 3.0 General Plan. The subject site is immediately adjacent to industrial zoning districts and/or industrial conditional zoning (see Exhibit B).

If successfully rezoned, we plan on improving the site with a 450,000 square foot warehouse. Based on comparable sites in the immediate vicinity, we expect this development to produce approximately \$450,000 in City and County taxes on an annual basis. As \$781.17 in taxes are currently paid, this represents a 576-fold increase. In addition, we anticipate a warehouse of this size generating several hundred jobs.

We believe that the proposed rezoning is not only consistent with Memphis 3.0, but also with previous actions taken on the subject parcel. On February 4, 1997, the Memphis City Council approved an industrial planned development at this location (case no. PD 96-348), but that entitlement has long since expired. Many of the innovations incorporated into the Unified Development Code (the "UDC") when it was adopted in 2010, such as increased streetscape and landscaping requirements, were meant to lessen the community's reliance on the planned development tool. We believe the UDC's EMP district, which replaced the former zoning code's Light Industrial district, serves as an ideal transitional zoning between the industrial uses to the east of the site and residential uses to its west.

Sincerely,

Josh Whitehead

May 5, 2022
Page 2

Exhibit A: Memphis 3.0 Future Land Use Planning Map of the area (subject site is indicated by a star; orange equates to multi-family future land uses and grey equates to “industrial flex”)

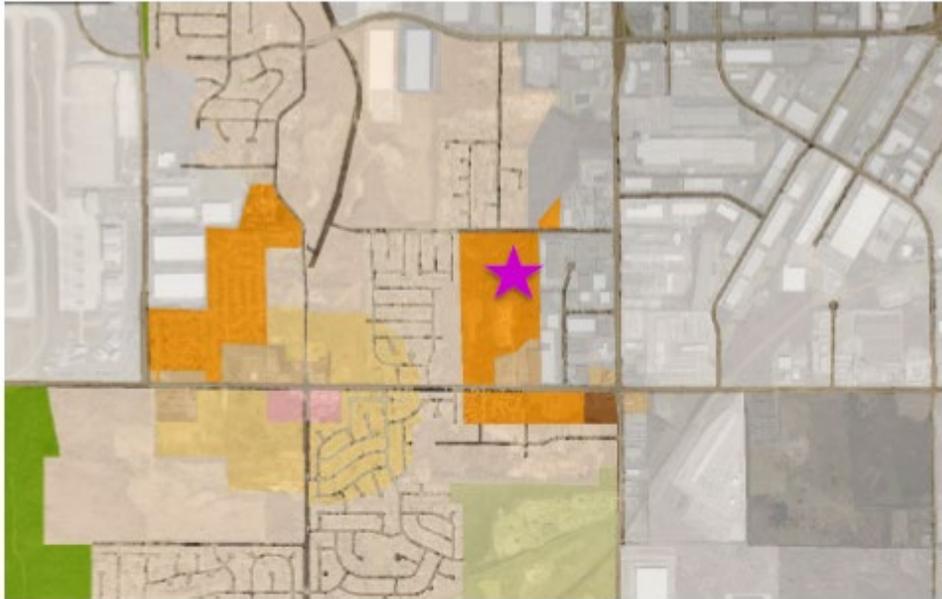
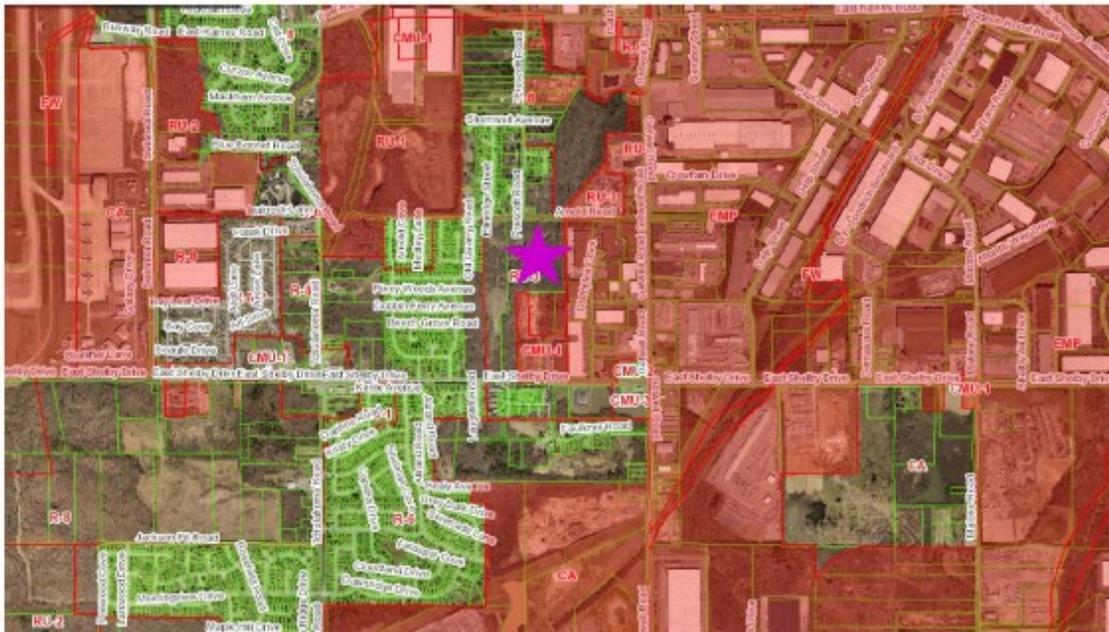


Exhibit B: industrial zoning and industrial conditional zoning in the area (indicated in red; the subject site is indicated by a star)



SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Josh Whitehead, being duly sworn, depose and say that at 1:00 am/pm on the 20th day of May, 2022, I posted 2 Public Notice Sign(s) pertaining to Case No. Z 22-04 at Arnold + Shelby Drive providing notice of a Public Hearing before the Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, Special Use Permit, Zoning District Map Amendment, Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

[Signature]
Owner, Applicant or Representative

May 20, 2022
Date

Subscribed and sworn to before me this 20th day of May, 2022.

[Signature]
Notary Public

My commission expires: 2/2/26





LETTERS RECEIVED

No letters received at the time of completion of this report.



**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

June 14, 2022

Jonathan Whitman – Zero Arnold Road, LLC.

Sent via electronic mail to: jonathan.whitman@yahoo.com

Case Number: Z 2022-004

LUCB Recommendation: Rejection

Dear applicant,

On Thursday, June 9, 2022, the Memphis and Shelby County Land Use Control Board recommended **rejection** of your rezoning application located at 3595 Arnold Road to be changed from Residential Urban – 3 (RU-3) to Employment (EMP).

This application will be forwarded, for final action, to the Council of the City of Memphis. Ordinances appear on three consecutive Council Agendas with the third one being the Public Hearing. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at lucas.skinner@memphistn.gov.

Respectfully,



Lucas Skinner
Municipal Planner
Land Use and Development Services

Letter to Applicant
Z 2022-004

Division of Planning and Development

Cc: Josh Whitehead – Burch Porter Johnson
File

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO THE ZONING MAP OF THE CITY OF MEMPHIS**

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, **October 11, 2022** at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

CASE NUMBER: Z 2022-004
LOCATION: 3595 Arnold Road - South side of Arnold Road +/-1,259 feet west of Getwell Road
COUNCIL DISTRICTS: District 3 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT: Jonathan Whitman
REPRESENTATIVE: Josh Whitehead – Burch, Porter, Johnson
REQUEST: Rezoning of +/-33.8 acres from Residential Urban – 3 (RU-3) to Employment (EMP)
RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: ***Rejection***

Memphis and Shelby County Land Use Control Board: ***Rejection***

NOW, THEREFORE, you will take notice that on Tuesday, October 11, 2022, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance's or protests against the making of such changes; such remonstrance's or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

This case will also be heard at the Planning and Zoning Committee on the same day with the specific time to be determined prior to the meeting date and posted on the City of Memphis' website.

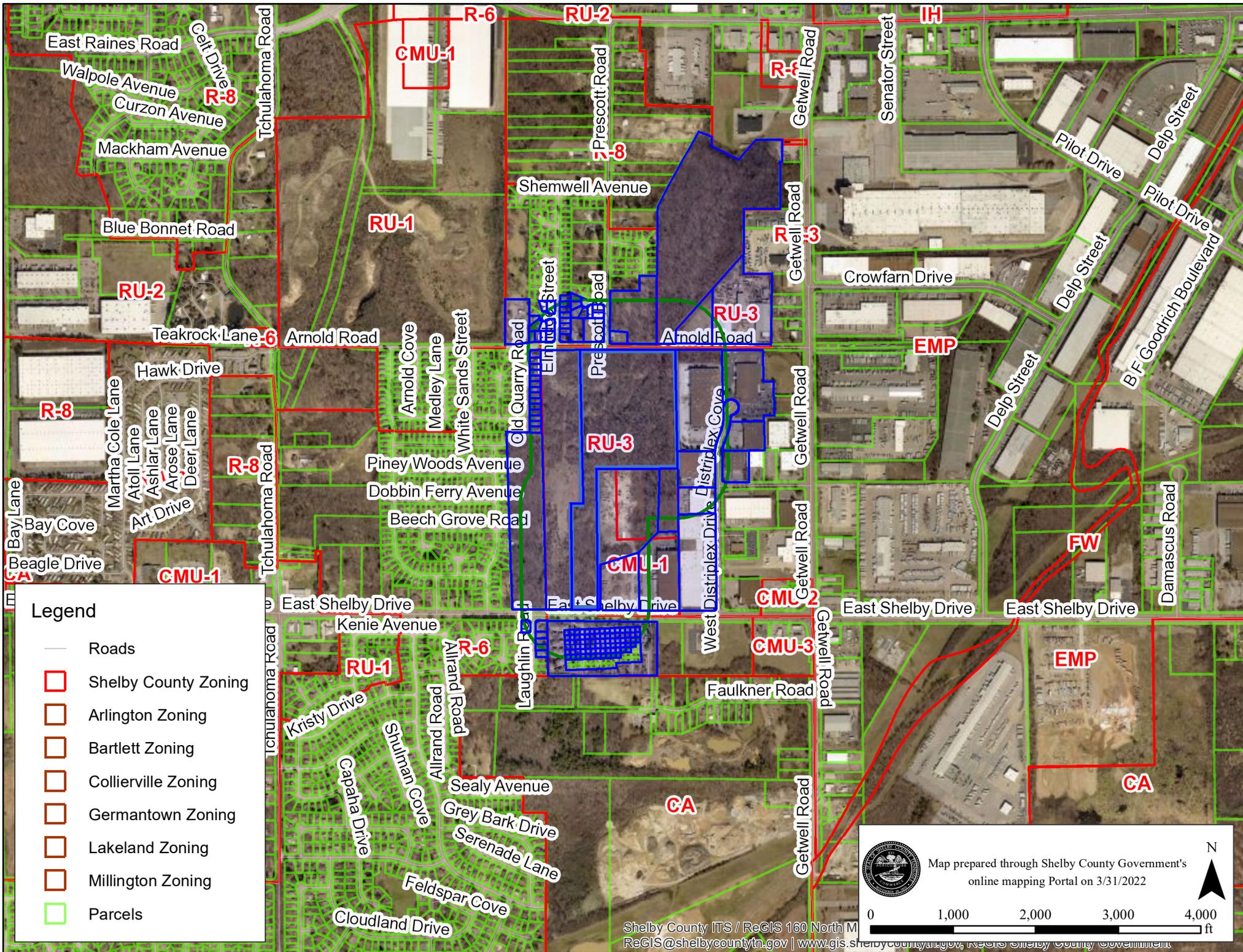
THIS THE August 31, 2022

MARTAVIUS JONES
CHAIRMAN OF COUNCIL

ATTEST:

DYWUANA MORRIS
CITY COMPTROLLER

TO BE PUBLISHED:



Legend

- Roads
- Shelby County Zoning
- Arlington Zoning
- Bartlett Zoning
- Collierville Zoning
- Germantown Zoning
- Lakeland Zoning
- Millington Zoning
- Parcels

Map prepared through Shelby County Government's online mapping Portal on 3/31/2022

0 1,000 2,000 3,000 4,000 ft

Shelby County ITS / ReGIS 160 North Main Street
 ReGIS@shelbycountytn.gov | www.gis.shelbycountytn.gov, ReGIS Shelby County Government

DRAGON WOODLAND SAWMILL CORP
129 N WASHINGTON ST #
WEST HELENA AR 72390

EDWARDS MARY J AND EDITH EDWARDS AND
3529 ARNOLD RD #
MEMPHIS TN 38118

LOVE JACKIE
8863 MISSION HILLS DR #
MEMPHIS TN 38125

HOWELL BEATRICE
4322 PROCTOR DR N
MEMPHIS TN 38118

ZERO ARNOLD ROAD LLC
PO BOX 848 #
LAKEWOOD NJ 8701

SELF LAFREDERICK
4697 QUEENS LACE CT #
MEMPHIS TN 38118

ODENEAL REAFEDELL
4377 ELMRIDGE ST #
MEMPHIS TN 38118

CARTER PERRY AND GIOVANNI WOODHOUSE
4424 OLD QUARRY RD #
MEMPHIS TN 38118

DAVIS CURTIS L
5406 JORDAN DR #
MEMPHIS TN 38116

MASUYAMA IKUO

WOODS WILLIAM C & CHARLINE
4470 OLD QUARRY RD #
MEMPHIS TN 38118

JONES MICHAEL A
4703 QUEEN LACE CT #
MEMPHIS TN 38118

TAYLOR STANFORD & DENISE
3585 CARLOCK CV #
MEMPHIS TN 38118

BROWN MAE B
4476 OLD QUARRY RD #
MEMPHIS TN 38118

MILES GWENDOLYN V
4707 QUEENS LACE CT #
MEMPHIS TN 38118

MOORE MICHAELA E AND MALAIKE E MOORE AND
3581 CARLOCK CV #
MEMPHIS TN 38118

HURT ALICE Y
3520 OLD GETWELL RD #
MEMPHIS TN 38118

JACKSON CRYSTAL R
4721 QUEENS LACE CT #
MEMPHIS TN 38118

WILLIAMS JUAQUANNA
4397 ELMRIDGE ST #
MEMPHIS TN 38118

HAILEY JESSE E AND DEBBRA R HAILEY
4687 LAUGHLIN RD #
MEMPHIS TN 38118

LEE LAWRENCE H III
3962 GLENDALE #
MEMPHIS TN 38128

CHRIST REVIVAL TEMPLE MINISTRIES INC
4448 PINE RIDGE CV #
MEMPHIS TN 38118

WATKINS CATHERINE
4688 LAUGHLIN RD #
MEMPHIS TN 38118

TOLLIVER BRIAN
4735 QUEENS LACE CT #
MEMPHIS TN 38118

LEGACY ENDURES INVESTMENTS LLC
2031 JANIS DR #
MEMPHIS TN 38116

RODRIGUEZ JOSE L & GUILLERMINA HERNANDEZ
4406 PRESCOTT RD #
MEMPHIS TN 38118

TATE REGENIA H
4697 COLUMBINE CT #
MEMPHIS TN 38118

KIEFFER INVESTMENTS LLC
5683 S ZANTE CIR #
AURORA CO 80015

AZIZ FUAD I & LESLIE R
3526 ARNOLD #
MEMPHIS TN 38118

LANEHART SHIRLEY A
4701 COLUMBINE CT #
MEMPHIS TN 38118

JONES KORDOREO
3567 MORNING DEW CT
MEMPHIS TN 38118

SHELBY MEADOWS CONDOMINIUMS INC
165 MADISON AVE #
MEMPHIS TN 38103

HERNANDEZ CARLOS R AND LEIDY S GONZALES
1515 BALTIMORE ST #
MEMPHIS TN 38114

WALKER WILLIE B JR & DEBRA M
3299 LUCIBILL RD #
MEMPHIS TN 38116

GRIFFIN DARTHIA J
4750 HORN LAKE RD #
MEMPHIS TN 38109

GRAYER MARGARET A
4373 ELMRIDGE #
MEMPHIS TN 38118

DURR-PERRY JENNIFER
3558 FIELD FLOWERS CT
MEMPHIS TN 38118

TOWNSEND BRIAN
4718 QUINTELL AVE
MEMPHIS TN 38128

WILSON PATRICIA A
4372 ELMRIDGE ST #
MEMPHIS TN 38118

JOHNSON KENNETH E
5409 PRECIOUS STONE CV #
MEMPHIS TN 38109

MOORE DOROTHY M
4697 WILD PLUM CT #
MEMPHIS TN 38118

BOLDEN MELVIN L & ARA ANNA S
4377 PRESCOTT RD #
MEMPHIS TN 38118

BIRCHDALE LLC
1661 INTERNATIONAL PLACE DR #400
MEMPHIS TN 38120

MCMILLIAN GAIL L
1536 EDGESIDE CT #
RALEIGH NC 27609

STRONG OPHELIA A AND OPHELIA ROBINSON
3575 CARLOCK CV #
MEMPHIS TN 38118

CARTWRIGHT RICHARD SR
5473 LASTRADA #
MEMPHIS TN 38116

LEAKE MELVENA (2/3%) AND YVETTE LEAKE
4632 HONEY SUCKLE LN #
MEMPHIS TN 38109

SHEFFA L C & ZONNIE B
4378 ELMRIDGE ST #
MEMPHIS TN 38118

RHODES PROPERTIES 1 LLC
PO BOX 2010 #
OLIVE BRANCH MS 38654

COLLIER TRENT A
7545 BRITNEYWOODS CIR #
ARLINGTON TN 38002

WILSON JANICE A
4384 ELMRIDGE ST #
MEMPHIS TN 38118

WALLER JAMES E AND JEREMY J WALLER (RS)
3557 FIELD FLOWER CT #
MEMPHIS TN 38118

DAVIS LEWIS A
3612 ORANGE BLOSSOM CT #
MEMPHIS TN 38118

BOLDEN MELVIN & ARA
4377 PRESCOTT RD #
MEMPHIS TN 38118

WAINWRIGHT JOHN H & CHERYSE F
3563 FIELD FLOWER CT #
MEMPHIS TN 38118

JOHNSON KENNETH E
5409 PRECIOUS STONE CV #
MEMPHIS TN 38109

MCKIE KEVIN
64564 RESEARCH RD #
BEND OR 97703

RHODES PROPERTIES 1 LLC
PO BOX 2010 #
OLIVE BRANCH MS 38654

ATKINS ANCHERNYCE T R & CALVIN
6572 KIRBY GATE CV #
MEMPHIS TN 38119

ARANDA LEONARDO
4389 ELMRIDGE ST #
MEMPHIS TN 38118

RODGERS ISAAC H & VERLEE L
3560 ARNOLD RD #
MEMPHIS TN 38118

EDWARDS BONITA K
4482 OLD QUARRY RD #
MEMPHIS TN 38118

MILLER JOYCE A
4721 COLUMBINE CT #
MEMPHIS TN 38118

FOOTS SHELLEY L
4393 ELMRIDGE ST #
MEMPHIS TN 38118

GOPALSAMY GOVINDARAJAN
6156 W BRANCH RD #
SAN RAMON CA 94582

HELAND INVESTMENTS LLC
5810 SHELBY OAKS DR #B
BARTLETT TN 38134

TWEDT DANIEL J
5136 OVERVIEW RDG #
MEMPHIS TN 38141

MCNEAL LASALLE
3842 OAKSHIRE ST #
MEMPHIS TN 38109

MOODY VINCENT C
3331 BESTWAY DR #
MEMPHIS TN 38118

TWEDT DANIEL
5136 OVERVIEW RDG #
MEMPHIS TN 38141

4660 REALTY CORP
4660 DISTRIplex DR W
MEMPHIS TN 38118

BRANCH HOLDINGS LLC
778 E SHELBY DR #
MEMPHIS TN 38116

BUTLER PROPERTIES LLC
4435 SUMMER AVE #
MEMPHIS TN 38122

MCKAY DIANNE
4707 LAUGHLIN RD #
MEMPHIS TN 38118

BONNER ROBERT
4735 COLUMBINE CT #
MEMPHIS TN 38118

LUMPKIN SHELIA L
4430 OLD QUARRY RD #
MEMPHIS TN 38118

TRISTAR DISTRIplex LLC
2283 GOBER RD #
BISHOP GA 30621

GASTON LAVESTIA
12555 RIVER BEND DR #
OLIVE BRANCH MS 38654

SEGURA JOSE
1544 W 94TH ST #
LOS ANGELES CA 90047

M E D PROPERTIES LLC
3740 ARNOLD RD #
MEMPHIS TN 38118

LOPEZ-GLENN ANGELLA
1834 KENDALE AVE #
MEMPHIS TN 38114

MOORE CHARLES D
PO BOX 986 #
COLLIERVILLE TN 38027

INGRAM WILLIE F
3532 ARNOLD RD #
MEMPHIS TN 38118

SMITH CLARENCE JR AND ALLEAN BENSON
8845 TCHULAHOMA RD #
SOUTHAVEN MS 38671

KEY AMY S
4460 OLD QUARRY RD #
MEMPHIS TN 38118

4660 REALTY CORP
4660 DISTRIplex DR W
MEMPHIS TN 38118

STORY JEANETTE G
4872 HIGH POINT CV #
MEMPHIS TN 38109

NINE ZERO ONE HOLDINGS LLC
PO BOX 17573 #
MEMPHIS TN 38187

KEYS RENETTA L
4709 COLUMBINE CT #
MEMPHIS TN 38118

VAUGHAN INVESTMENT CORP
4593 TAMMY LN #
MEMPHIS TN 38116

HALL FLORENCE
3555 MORNING DEW CT #
MEMPHIS TN 38118

THOMPSON CONNIE
1997 MOORE RD #
RED BANKS MS 38661

SANDERS LORETTA R
4723 MORNING GLORY CT #
MEMPHIS TN 38118

REED MICHAEL
PO BOX 751164 #
MEMPHIS TN 38175

ROSS CEDRIC L
3229 E RAINES RD #
MEMPHIS TN 38118

PARTEE BOBBY
2459 TARBET DR #
MEMPHIS TN 38119

SANDERS KATHERINE
3561 MORNING DEW CT #
MEMPHIS TN 38118

DARBY KOREY
37 ASPINWALL RD #
BOSTON MA 2124

GARNER SHERRI E
4729 MORNING GLORY CT #
MEMPHIS TN 38118

WOODS CECELIA
3563 MORNING DEW CT #
MEMPHIS TN 38118

HARRIS HARRY & ANITA
3556 MORNING DEW CT #
MEMPHIS TN 38118

WALTON FELECIA L
4735 MORNING GLORY CT #
MEMPHIS TN 38118

JOHNSON REGINALD
4146 CARROLL DR W
HORN LAKE MS 38637

TOLLIVER BRIAN
3562 MORNING DEW CT #
MEMPHIS TN 38118

ESTATE VENTURES LLC TR
PO BOX 751224
MEMPHIS TN 38175

COLLIER TRENT A
7545 BRITNEYWOODS CIR #
ARLINGTON TN 38002

ESTATE VENTURES LLC
PO BOX 751225
MEMPHIS TN 38175

MYRA LLC
PO BOX 281
ASHBURN VA 20148

LEWIS DARRYL & LASAVIA
1389 SANDY STONE LN
CORDOVA TN 38016

FOXTROT REAL ESTATE LLC
7185 E DRY CREEK CIR #
CENTENNIAL CO 80112

BOUIE-PALMER KIM
4734 MORNING GLORY CT #
MEMPHIS TN 38118

EASTER DOROTHY M
P O BOX 30642 #
MEMPHIS TN 38130

CRAWFORD DONALD S II
4702 LAUGHLIN RD #
MEMPHIS TN 38118

GAUSE RAYMOND
4736 MORNING GLORY CT
MEMPHIS TN 38118

JONES VERONICA W
10435 ASHBORO DR #
COLLIERVILLE TN 38017

HYDE LAWARNER J
4708 LAUGHLIN RD #
MEMPHIS TN 38118

HOLMES RALPH W
3622 ORANGE BLOSSOM CT #
MEMPHIS TN 38118

BRIGHT ALVINOR & RUBY
8066 DOGWOOD VILLA #
GERMANTOWN TN 38138

STRICKLAND RICKY V
4716 LAUGHLIN RD #
MEMPHIS TN 38118

CLEABORN CAROLYN
PO BOX 16021 #
MEMPHIS TN 38186

WARD YOLANDA
3618 ORANGE BLOSSOM CT #
MEMPHIS TN 38118

WILLIAMS REALTY AND INVESTMENTS LLC
941 E RAINES RD #
MEMPHIS TN 38116

PREMSRIRUT RUTT
3993 HOWARD HUGHES PKWY #140
LAS VEGAS NV 89169

W N WINTCO
3431 HOMBLY RD #
HOUSTON TX 77066

DAVIS WILLIE JR
2030 MCPHERSON RD #
MEMPHIS TN 38116

HALL RODNEY
5535 KINDLE HILL ST
MEMPHIS TN 38141

BRUCE JUEL L
418 N ARMISTEAD ST #T4
ALEXANDRIA VA 22312

TALIAFERRO KEDRICK
4734 COLUMBINE CT #
MEMPHIS TN 38118

BRIGHT DOOR PROPERTY LLC
3380 KEYSTONE AVE
MEMPHIS TN 38128

BANKS SYLVIA M
3613 ORANGE BLOSSOM CT #
MEMPHIS TN 38118

4660 REALTY CORPORATION
4660 DISTRIPLEX DR W
MEMPHIS TN 38118

DAVIS WILLIE JR
2030 MCPHERSON RD
MEMPHIS TN 38116

GRIFFIN WILLIAM
5049 GOLDEN OAKS #
MEMPHIS TN 38118

ALTO ASSET CO 1 LLC
5001 PLAZA ON THE LAKE #200
AUSTIN TX 78746

APPICE CARMINE JR LIVING TRUST
16633 VENTURA BLVD #1450
ENCINO CA 91436

GRIFFIN WILLIAM
5049 GOLDEN OAKS #
MEMPHIS TN 38118

ARMM ASSET CO 1 LLC
5001 PLAZA ON THE LAKE #200
AUSTIN TX 78746

COLLIER TRENT
7545 BRITNEYWOODS CIR
ARLINGTON TN 38002

WILLIAMS FAMILY RLT 2020
687 OASIS CV #
CORDOVA TN 38018

NM PLEX LLC
1605 LBJ FWY #710
DALLAS TX 75234

AUTRY KENNETH M
4707 WILD PLUM CT #100
MEMPHIS TN 38118

CRUTCHFIELD WALTER
4726 QUEENS LACE CT #
MEMPHIS TN 38118

SEALY DISTRIPLEX DR WEST ONE LLC
333 TEXAS ST #1050
SHREVEPORT LA 71101

CHINA MANUFACTURER'S ALLIANCE LLC
406 E HUNTINGTON DR #200
MONROVIA CA 91016

YAHN ROBERT
3198 OLD BROWNSVILLE RD #
BARTLETT TN 38134

SAINI INVESTMENTS LLC
5015 PEACH BLOSSOM CV #200
MEMPHIS TN 38125

SEALY DISTRIPLEX COVE LLC
333 TEXAS ST #1050
SHREVEPORT LA 71101

DOUGLAS ISIAHA
1413 PRESTON ST #
MEMPHIS TN 38106

JETT MARICO
7857 ELLEN DR #8
SOUTHAVEN MS 38671

SEALY DISTRIPLEX DR NORTH ONE LLC
333 TEXAS ST #1050
SHREVEPORT LA 71101

SEALY DISTRIplex DRIVE W TWO L L C
333 TEXAS ST #1050
SHREVEPORT LA 71101

HURLEY TARCHA
4524 SPRING VIEW LN #4300
KELLER TX 76244

PLYMOUTH 3650 DISTRIplex TN LLC
20 CUSTOM HOUSE ST #11
BOSTON MA 2110

WILLIAMS ROBERT L JR
8747 TANOAK DR
GERMANTOWN TN 38138

PLYMOUTH 3650 DISTRIplex TN LLC
20 CUSTOM HOUSE ST #11
BOSTON MA 2110

CLEABORN CAROLYN
PO BOX 16021
MEMPHIS TN 38186

SHELBY COUNTY
160 N MAIN ST #350
MEMPHIS TN 38103

ECONOMIC DEV GROWTH ENGINE INDUSTRIAL
100 PEABODY PL #1100
MEMPHIS TN 38103

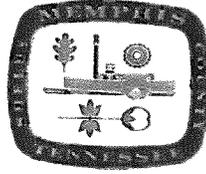
SHELBY MEADOWS CONDOMINIUMS INC
3092 POPLAR AVE #17
MEMPHIS TN 38111

SHELBY MEADOWS CONDOMINIUMS INC
3092 POPLAR AVE #17
MEMPHIS TN 38111

REDICK BRIAN
3380 KEYSTONE AVE
MEMPHIS TN 38128

SHELBY MEADOWS CONDOMINIUMS INC
3092 POPLAR AVE #17
MEMPHIS TN 38104

HAMMOND SHERRY T
3560 MORNING DEW CT #13
MEMPHIS TN 38118



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A Resolution approving a 5 year lease for the use of the right-of-way on the west side of Wagner place, consisting of 11 parking spaces in Memphis, TN 38103 *Same night minutes*

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

General Service

3. State whether this is a change to an existing ordinance or resolution, if applicable.

N/A

4. State whether this will impact specific council districts or super districts.

District 6 and Super District 8

5. State whether this requires a new contract, or amends an existing contract, if applicable.

N/A

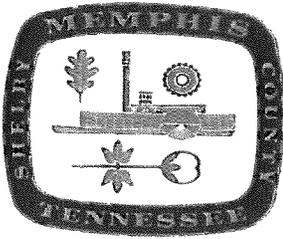
6. State whether this requires an expenditure of funds/requires a budget amendment

This sale does not require an expenditure of funds or budget amendment.

7. If applicable, please list the MWBE goal and any additional information needed

N/A

City Council Resolution



A Resolution approving a 5 year lease for the use of the right-of-way on the west side of Wagner Place, consisting of 11 parking spaces in Memphis, Tennessee 38103

Whereas, the City of Memphis controls the right-of-way on Wagner Place, east of Riverside Drive and south of Union Avenue; and

Whereas, 99-105 FRONT STREET, LLC desires to lease the space located on the west side of Wagner Place consisting of 11 parking spaces that will be used as parking for tenants and guests; and

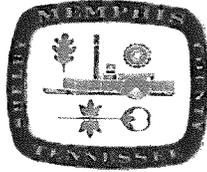
Whereas, Engineering has approved this request and has requested Real Estate to draft an agreement to lease the City's right-of-way for the aforementioned parking spaces; and

Whereas, the leasing of City controlled right-of-way will generate revenue for the City of Memphis in the amount of \$27,500 annually or \$2,500 per month; and

Whereas, it is deemed to be in the best interest of the citizens of the City of Memphis and County of Shelby that this request be considered to provide safe parking for citizens and subject to the terms and conditions set forth in the Lease Agreement and City Ordinance 2-16 (J).

Now, therefore, be it resolved by the Council of the City of Memphis that the request for 99-105 FRONT STREET, LLC to lease the above-described property is hereby approved subject to the City Ordinance 2-16 (J) which states in part, "any lease or license agreement two years or more shall be considered a conveyance and shall be submitted to City Council for approval, except for right of entry agreements, encroachment agreements, and easement agreements. Any extensions or renewals bringing the total term to two years or more shall be included as a conveyance."

BE IT FURTHER RESOLVED, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the lease agreement and shall initiate any request or any other documents needed to finalize the agreement, and the Mayor of the City of Memphis is hereby authorized to execute said lease agreement or any other documents necessary to fulfill this request to lease from the City.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A resolution requesting the approval for the sale of a .309 Acre City owned parcel located at 1805 Castalia Street, Memphis, Shelby County, Tennessee and further described as Parcel ID # 060106 00008

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

General Services

3. State whether this is a change to an existing ordinance or resolution, if applicable.

N/A

4. State whether this will impact specific council districts or super districts.

District 4/ Super District 8

5. State whether this requires a new contract, or amends an existing contract, if applicable.

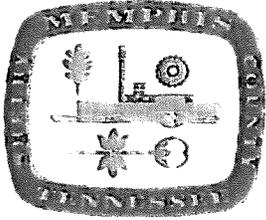
N/A

6. State whether this requires an expenditure of funds/requires a budget amendment

N/A

7. If applicable, please list the MWBE goal and any additional information needed

N/A



City Council Resolution

A Resolution requesting the approval for the sale of a .309 Acre City owned parcel located at 1805 Castalia Street, Memphis, Shelby County, Tennessee and further described as Parcel ID # 060106 00008

Whereas, the City of Memphis owns a .309 Acre surplus parcel located at 1805 Castalia Street and is further identified by Shelby County Tax Assessor as Parcel #060106 00008;

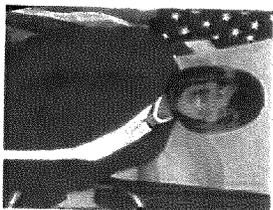
Whereas, Renarda Clariett on behalf of the L.O.E foundation, a non-profit organization which sponsors community events and after school programs in the Castalia Heights community, submitted an offer of Five Thousand Dollars (\$5000.00) for the Parcel along with a Five Hundred Dollars (\$500.00) Earnest Money deposit to the City of Memphis Real Estate Center;

Whereas, the sale of City owned parcels will increase the General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis; and

Whereas, it is deemed to be in the best interest of the Citizens of the City of Memphis and County of Shelby that this request be considered subject to terms and conditions set forth in the Offer to Purchase and City Ordinance 2-291-2(A).

Now, therefore be it resolved by the Council of the City of Memphis that the offer submitted by the L.O.E Foundation on the above described Parcel is hereby accepted subject to City Ordinance 2-291-2(A), which states in part, " The sale of properties receiving an initial bid offer of \$20,000.00 or less shall be submitted for approval to the city council for first reading, which shall be final."

Be it further resolved, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



Sheldandra Y. Ford
Shelby County Register of Deeds

CITY OF MEMPHIS TAX SALE 14.03

Owner:

Parcel Address: 1805 CASTALIA ST

Parcel ID: 060106 00008

2022 Appraisal: \$18,200

Tax District: MEMPHIS

Year Built: 1951

Lot Number: 0 1

Subdivision: CARVERS

Plat BK & PG: UNKNOWN

Dimensions:

Total Acres: 0.309

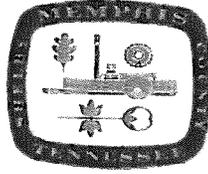
Owner Address: 125 N MAIN ST

MEMPHIS TN

38103 2026

Map prepared on 8/22/2022





Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This is a Resolution requesting the approval of the sale of city owned property located at 0 Peach Avenue in Memphis, Shelby County, Tennessee 38112 and further described as Parcel #020066 00027

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

General Service

3. State whether this is a change to an existing ordinance or resolution, if applicable.

N/A

4. State whether this will impact specific council districts or super districts.

District 5 and Super District 9

5. State whether this requires a new contract, or amends an existing contract, if applicable.

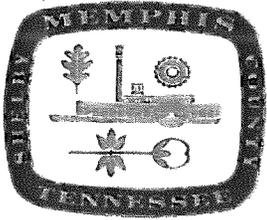
N/A

6. State whether this requires an expenditure of funds/requires a budget amendment

N/A

7. If applicable, please list the MWBE goal and any additional information needed

N/A



Council Resolution

A Resolution approving the sale of a city owned property known as 0 Peach Avenue, Memphis, TN 38112, Parcel ID# 020066 00027

WHEREAS, the City of Memphis owns the property known as 0 Peach Avenue, Memphis, TN 38112 (“The Property”) and is further identified by Shelby County Tax Assessor as Parcel # 020066 00027 containing 0.2189 acres, more or less;

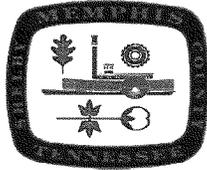
WHEREAS, the sale of the subject Property will increase the City’s General Fund, generate tax revenue, and eliminate blight and maintenance cost for the City of Memphis;

WHEREAS, Benjamin Racher, an adjoining property owner, submitted an offer of Thirty-Three Thousand Four Hundred Dollars (\$33,400.00) along with a Three Thousand three hundred forty Dollar (\$3,340.00) Earnest Money deposit to the City of Memphis Real Estate Office; and

WHEREAS, is it deemed to be in the best interest of the citizens of the City of Memphis and County of Shelby that this request be considered subject to the terms and conditions set forth in the Offer to Purchase and in City Ordinance 5637.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the offer made by Benjamin Racher, on the above-described property is hereby accepted subject to the City Ordinance 5637, Amendment to section 2-291-1(A) which states in part, “The city real estate manager shall determine if an independent valuation is needed; the services of a qualified independent real estate appraisal may be obtained.”

BE IT FURTHER RESOLVED, that subject to the Ordinance, the City of Memphis Real Estate Office shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A Resolution to appropriate the sum of \$400,000.00 in Other Project Cost to implement the FY23 Urban Art Plan, CIP Project Number EN23301 funded by G.O. Bonds. *Same Night Minutes requested - see Item #7*

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

The Engineering Division is the initiating party of this resolution.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

There is no change to an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

District and Super Districts are not applicable for this project.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

This resolution does not require a new contract or amend an existing contract.

6. State whether this requires an expenditure of funds/requires a budget amendment

This resolution requires an appropriation of \$400,000.00 in CIP funds, funded by G.O. Bonds chargeable to the FY23 Capital Improvement Budget.

7. If applicable, please list the MWBE goal and any additional information needed

MWBE goal is 6% - Same night minutes are requested for this resolution.

RESOLUTION

WHEREAS, the Council of the City of Memphis did include Urban Art, CIP Number EN23300 as part of the FY 2023 Capital Improvement Budget; and

WHEREAS, it is necessary to transfer funds EN23300 Coverline to EN23301 and appropriate those funds in the amount of \$400,000.00 funded by G.O. Bonds General in other project costs of EN23301 to continue the implementation of the Urban Art Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$400,000.00 in Other Cost funded by G.G. Bonds General, chargeable to FY 2023 Capital Improvement Budget with said appropriation being Credited as follows:

Project Title:	Urban Art	\$400,000.00
Project Number:	EN23301	G.O. Bonds